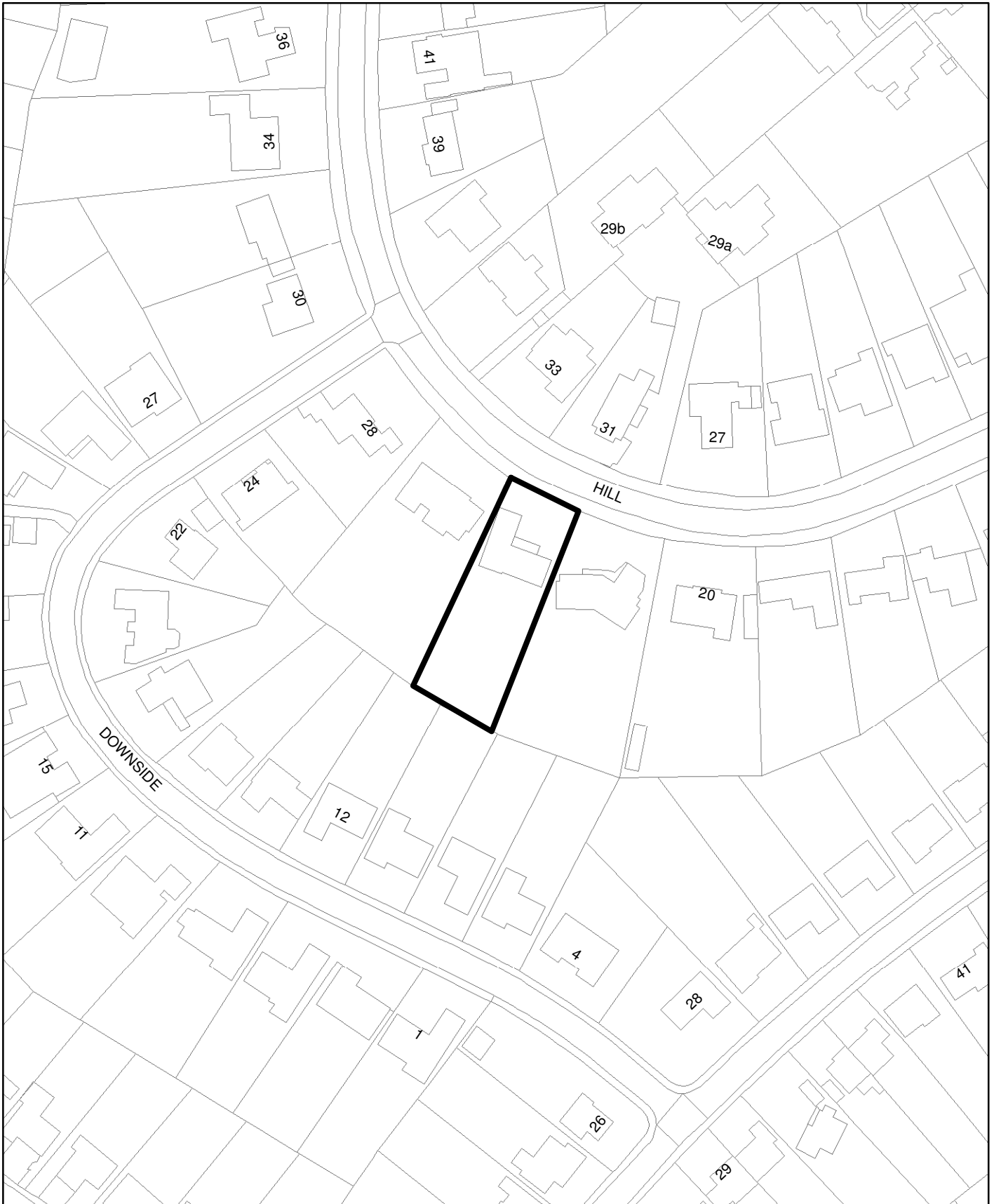


# **ITEM G**

**24 Hill Brow, Hove  
BH2015/03252  
Householder Planning Consent**

**20 April 2016**



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2015/03252</b>	<b><u>Ward:</u></b>	<b>HOVE PARK</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>24 Hill Brow Hove</b>		
<b><u>Proposal:</u></b>	<b>Enlargement of the existing rear patio with glass balustrading, increased ridge height, rear dormers, front rooflights and alterations to fenestration.</b>		
<b><u>Officer:</u></b>	Luke Austin Tel 294495	<b><u>Valid Date:</u></b>	07/09/2015
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	02 November 2015
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	C-Architecture Limited, 67 Church Road Hove BN3 2NB		
<b><u>Applicant:</u></b>	Mr Steve Charman, 24 Hill Brow Hove BN3 6QF		

## 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 GRANT planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a substantial two-storey detached house located on the south side of Hill Brow, Hove. The property sits below street level in a run of detached houses of various styles. As existing the property includes a rear dormer, a rear gable projection and terraces at both ground and first floor levels.

## 3 RELEVANT HISTORY

**BH2014/00599** - Erection of single storey rear extension, revised fenestration, increased ridge height, rear dormers, front and rear rooflights and associated works. Approved 03/07/2014.

**BH2011/01805** - Ground and first floor extension to front of property including enlarged pitched roof and canopy porch. Approved 03/08/2011.

**BH2009/01199** - Erection of a rear first floor extension with pitched roof. Approved 09/09/2009.

**BH2007/00963** - Roof dormer to rear. Approved 02/05/2007.

**BH2006/04308** - Roof dormer to rear. Refused 12/02/2007.

**BH2004/03489/FP** - Rear extension with balcony over. Approved 25/02/2005.

**BH2004/02748/FP** - Side extension to front porch. Approved 18/10/2004.

**BH2004/02240/FP** - Front boundary wall and new gates. Approved 13/09/2004.

## 4 THE APPLICATION

- 4.1 Permission is sought for the enlargement of the existing rear patio with glass balustrading, increased ridge height, rear dormers, front rooflights and alterations to fenestration. The proposal is largely similar to a previously

approved scheme on site under application BH2014/00599. The main differences relate to the removal of a single storey rear extension and retention of the existing fenestration to the front elevation.

Raised ridge height

- 4.2 The proposal is to raise the ridge height from 7.1m to 7.8m above ground level. The flat roof and parapet to the front elevation would be removed and the main pitched roof widened to come out over the top, and slope down to an eaves height to match the eaves height of the existing front projection, which also has a pitched roof.
- 4.3 The resulting roof would be approximately 5cm lower than the ridge of 26 Hill Brow and 1.4m higher than the roof of 22 Hill Brow. (The same increase in height approved under the previous application).

Revised fenestration

- 4.4 The proposed revised fenestration relates to the installation of two five pane bi-fold doors to the rear elevation. The previous scheme proposed alterations to the front elevation whereby the distinctive narrow, slotted windows on both the ground and first floors would have been replaced with more common and larger styles of window arranged in pairs and as a three on the front projection, and lining up vertically. The front elevation fenestration is no longer proposed to be changed as part of this application

Two rear dormers

- 4.5 The proposal is to remove the large, single dormer from the rear roof slope and to construct two smaller dormers along with a single rooflight. The dormers would have flat roofs and would match the dormers previously approved.

Rooflights-

- 4.6 Three rooflights are proposed on the newly built front roof slope and two further rooflights to the side roof slopes of the front projecting gable. The previous application proposed two rooflights to the front and a single, small unit on the rear roof slope.

## 5 PUBLICITY & CONSULTATIONS

### External:

- 5.1 **Neighbours: Four ( 4)** letters of representation have been received from the occupiers of **10, 12 and 14 Downside** and **29a Hill Brow** objecting to the proposed development, for the following reasons:
- Disruption, noise and dust.
  - The roof will be significantly higher than the neighbouring properties.
  - Will be out of character with the adjoining houses
  - Height increase has been rejected for 35 Hill Brow
  - Loss of privacy
  - Increase in overshadowing
  - Residential area is being downgraded
  - Unclear by how much the ridge height will actually increase
  - The potential for overlooking and loss of privacy is significantly greater than with the earlier application.

5.2 **Councillor B rown:** objects to the proposed works. A copy of this letter is attached to this report.

## **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:

- City Plan Part One (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- 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 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 City Plan Part One

SS1 Presumption in Favour of Sustainable Development

#### Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of Amenity

#### Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to the impact of the proposed development on the appearance and character of the building, the wider street scene and the amenities of adjacent occupiers.

**Design and appearance**

Increased ridge height

- 8.2 SPD12 states that raising the ridge height or reshaping the roof structure is a significant change that will not be appropriate where the existing roof form is an important element of the building's character, contributes positively to the local street scene or where the extension would harm the amenities of adjacent properties.
- 8.3 SPD12 further states that additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the street scene including its topography.
- 8.4 The principal of the increase in the height of the ridge has been approved previously and is considered acceptable. The height of the resulting dwelling would sit between the heights of both neighbouring properties and as such the development would not appear incongruous or inappropriately tall, and the development would respect the topography of the site.
- 8.5 The pitched roof form proposed is in keeping with the general form of existing houses in the local area and would not have an unusual or inappropriate appearance in the street scene.
- 8.6 In addition, the e forward of the pitched roof over the flat projection on the front elevation is considered acceptable and would not be overly prominent or out of character with the street scene.

Dormer windows and rooflights

- 8.7 SPD12 states that dormer windows should be kept as small as possible and clearly be a subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. In some cases a flat roof may be considered preferable to a pitched roof in order to reduce the bulk of a dormer. The supporting structure for the dormer window should be kept to a minimum as far as possible to avoid a "heavy" appearance and there should be no large areas of cladding either side of the window or below. As a rule of thumb a dormer should not be substantially larger than the window itself unless the particular design of the building and its context dictate otherwise.
- 8.8 Dormer windows should normally align with the windows below. However, in certain cases it may be preferable for dormers to be positioned on the centre line of the building or the centre line of the space between the windows below.
- 8.9 Neighbour comments in respect of the proposed rear dormers have been noted. The comments relate predominantly to amenity issues as opposed to the design and appearance of the dormers.
- 8.10 The existing dormer is tall and over-sized and has a dominant appearance in relation to the rear roof slope. The proposed dormers would be similar in size and appearance to those previously approved under application BH2014/00599. The two proposed dormers would be smaller in size and set well away from the ridge and eaves of the main roof to the dwelling. The dormers would line up with the

centre line of the windows/balcony doors at first floor level and they would also be evenly spaced within the rear roof slope. The dormers would have minimal areas of cladding around the dormer window openings. The dormers proposed are considered to be compliant with SPD12.

- 8.11 Rooflights should be kept as few and as small as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible or centring on the spaces between them where appropriate. Irregular rooflight sizes and positioning should be avoided, and in particular will be resisted on street elevations.
- 8.12 The application proposes three rooflights on the front roof slope. These would be offset to one side of the roof slope. Although the units would add clutter to the front roof slope the rooflights would not dominate the roof slope and would not warrant refusal of the application.
- 8.13 Accordingly, the proposed roof alterations and extensions are considered acceptable and in accordance with the advice contained in SPD12.

Rear decking and alterations to fenestration

- 8.14 The proposed fenestration to the rear would replace existing sliding doors and a window serving the sitting room and living room with full length glazing. The existing masonry wall to the living room would be fully replaced with glazing to both the side and rear elevations. This alteration would not be readily visible from neighbouring properties and although modern in appearance it is not considered likely to detract from the character or appearance of the dwelling.
- 8.15 The proposed rear decking at ground floor level would retain roughly the same footprint however the existing lower section to the eastern side would be raised in height to match the higher section resulting in a full width raised decking with glazed balustrade. The proposed increase in size of the decking has been approved within the previous application and the current proposal would project a lesser depth than the terrace previously approved. This is considered acceptable and would not be harmful to the character or appearance of the dwelling. The existing rear first floor balcony would be retained and would not be increased in size.

**Impact on neighbour amenity**

- 8.16 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.
- 8.17 The letters received from neighbours have been taken into consideration. The main issues include overlooking from the existing first floor balcony at the rear and the existing and the proposed dormers.
- 8.18 Noise and dust during construction is normally temporary and is not a material consideration that would warrant refusal of planning permission. Environmental

Health have powers under the Environmental Protection Act to control excessive noise and dust if such issues arise.

- 8.19 Consideration is also given as to the impact of the development on neighbours in respect of overshadowing or loss of light.

Ground floor terrace and rear fenestration

- 8.20 Neighbours in Downside have objected partly on grounds of overlooking from the rear decking and extensive glazing at ground floor level. As the proposed decking would retain the same footprint as the existing deck and the separation distance between the rear elevation of the application site and the rear elevations of the nearest properties in Downside (nos. 10 and 12) is approximately 60m, it is not considered that the works at ground floor level would allow for a substantially greater than from the existing arrangement.

- 8.21 Furthermore the principal of extending the decking has been approved under the previous application. The current proposed ground floor terrace would project a lesser depth than the terrace previously approved meaning the opportunity for overlooking would in fact be less than the works proposed within the previous application.

- 8.22 There is also an outbuilding and vegetation set on the boundary which partially obscures views to south from the site.

Proposed rear dormers and first floor balcony

- 8.23 Neighbours have also raised objections regarding the potential overlooking issues from the proposed dormers and the rear balcony at first floor level. Due to the sharply sloping hillside, the application site is on higher ground and this should be taken into consideration.

- 8.24 Notwithstanding the proposed increase to the ridge height, the two proposed dormers would be smaller in size than the existing dormer. The proposed dormers would also be similar in size and siting to those approved within the previous application. The eastern most dormer window would serve a bathroom/sauna and would most likely be obscure glazed or have a blind to protect the applicant's privacy. The second dormer would serve a bedroom however the amount of glazing would be considerably reduced compared to the existing arrangement allowing for a similar outlook and reduced perceived overlooking.

- 8.25 Although concerns have been raised regarding the first floor balcony, the application, unlike the previous proposal, does not propose an increase in the footprint of the balcony and the resultant overlooking would remain unchanged in this regard.

Air conditioning units

- 8.26 The applicant has not submitted details of the air conditioning units. These could generate noise that would disturb the amenity of neighbours. It is recommended a condition is imposed requiring details of the air conditioning units together with



a regulatory condition to ensure sound levels at the nearest noise sensitive façade, 26 Hill Brow, are no more than 5dB below background noise levels.

Overshadowing and loss of light

8.27 There are no habitable room windows to either adjoining property that would be adversely affected by the proposal in terms of loss of light. The properties do not have flank windows and there is sufficient separation between the properties to mitigate against any otherwise overbearing impact. The pitched roof design of the alteration to the front projection would effectively reduce the eaves height, because the existing projection has a flat roof and parapet edge, which is taller.

**9 CONCLUSION**

9.1 The proposed development is considered to be appropriately designed and detailed in relation to the existing house and its surroundings, and would not be detrimental to visual amenity or the character and appearance of the locality.

9.2 The proposal is not considered likely to have a significant adverse impact on the residential amenity of neighbouring occupiers.

**10 EQUALITIES**

None identified.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

11.1 Regulatory Conditions:

1) 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.

2) 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
Site Location Plan, Block Plan and Existing Floorplan	158-E001C	-	07/09/15
Existing Elevations	158-E002A	-	07/09/15
Proposed Plans	158-SK001B	-	07/09/15
Proposed Elevations	158-SK002B	-	07/09/15
Existing and Proposed Street Elevations	158-SK005C	-	07/09/15

3) No extension, enlargement, or alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification)

other than that expressly authorised by this permission, shall be carried out without planning permission obtained from the Local Planning Authority.

**Reason:** The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 4) 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 policy QD14 of the Brighton & Hove Local Plan.
- 5) Noise associated with the external air conditioning units incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties, particularly 26 Hill Brow, and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 6) No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details and retained as such thereafter.  
**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15 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 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 to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-

## PLANNING COMMITTEE LIST – 20 APRIL 2016

The proposed development is considered to be appropriately designed and detailed in relation to the existing house and its surroundings, and would not be detrimental to visual amenity or the character and appearance of the locality.

The proposal is not considered likely to have a significant adverse impact on the residential amenity of neighbouring occupiers.

COUNCILLOR REPRESENTATION

**From:** Vanessa Brown  
**Sent:** 07 October 2015 20:43  
**To:** Planning Applications

Dear Sir/Madam

Re: BH2015\ 03252. 24 Hillbrow Hove

As a councillor for Hove Park Ward I am writing to object to the above planning application.

I am particularly concerned about the the roof height and the back elevation. The back of the house overlooks the houses in Downside, particularly numbers 10, 12, and 14. The many windows at the back will overlook these houses in Downside causing a loss of privacy.

There is also a large balcony at the first floor level which will cause a greater loss of privacy.

Hillbrow is higher than Downside which makes the increased height of the house appear overbearing to the houses in Downside.

If the recommendation should be to pass this application I would like it to be decided by the planning committee.

Yours sincerely

Vanessa Brown

Clr Vanessa Brown