

<u>No:</u>	BH2022/02779	<u>Ward:</u>	Preston Park Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	78 Waldegrave Road Brighton BN1 6GG		
<u>Proposal:</u>	Erection of single storey side return extension with rooflights to the rear.		
<u>Officer:</u>	Charlie Partridge, 292193	tel: <u>Valid Date:</u>	10.10.2022
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	05.12.2022
<u>Listed Building Grade:</u>		<u>EOT:</u>	
Agent:			
Applicant:	Dr Andy Hamilton-Hird 78 Waldegrave Road Brighton BN1 6GG		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. 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
Proposed Drawing	D.001	A	10 October 2022
Proposed Drawing	D.002	A	10 October 2022
Proposed Drawing	D.003	A	10 October 2022

2. 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.

3. A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

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. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION

- 2.1. The application site relates to a two-storey terrace property located on the eastern side of Waldegrave Road and sits within the Preston Park Conservation Area and is subject to an Article 4 Direction area which relates to alterations to the front of properties so not relevant to the present application.

3. RELEVANT HISTORY

- 3.1. **BH2020/00453** Roof alterations incorporating insertion of one rooflight to front roofslope and erection of 2 rear dormers, revised fenestration and associated works. Approved 08.04.2020
- 3.2. **BH2018/00880** Erection of rear dormer and insertion of rooflight to front and rear elevations. Approved 08.05.2018

4. APPLICATION DESCRIPTION

- 4.1. Permission is sought for the erection of a single storey side return extension with rooflights to the rear. The current proposal differs slightly from the previously withdrawn application (BH2022/01821) in that it seeks a mono-pitched roof sloping down to 3m at the boundary with No. 76 Waldegrave Road, where the withdrawn application sought a flat roof to 3.3m in height from the ground level of the adjoining neighbour's property at No. 76 Waldegrave Road.
- 4.2. Approved plans from application BH2020/00453 have been submitted as part of this application. The approved works would include one front rooflight, two rear dormers and revised fenestration. It is noted that these works would not have an impact on the current proposal and could be independently implemented.

5. REPRESENTATIONS

- 5.1. **One** (1) letter has been received objecting to the proposal on the following grounds:
 - Inaccurate drawings
 - Loss of daylight
 - Breaches 45-degree rule
 - Overbearing
- 5.2. **Councillor Siriol Hugh-Jones** has objected to the application. A copy of this correspondence is attached to this report.

6. CONSULTATIONS

None

7. MATERIAL CONSIDERATIONS

7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.

7.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016)
- Brighton & Hove City Plan Part Two (adopted October 2022)
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour JAAP (adopted October 2019).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP10	Biodiversity
CP12	Urban Design
CP15	Heritage

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM20	Protection of Amenity
DM21	Extensions and alterations
DM26	Conservation Areas
DM37	Green Infrastructure and Nature Conservation

Supplementary Planning Document:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations

9. CONSIDERATIONS & ASSESSMENT

9.1. The main considerations in the determination of this application relate to the design and appearance of the proposed alterations and whether they would

have a detrimental impact on the character or appearance of the area, including Preston Park Conservation Area, or on neighbouring amenity.

- 9.2. A site visit was not undertaken, but it was considered that the proposal could be assessed adequately based on photographs provided within the Design and Access Statement, along with 3D satellite views.

Impact on Character and Appearance:

- 9.3. When considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".

- 9.4. The proposed single storey extension is considered acceptable in design terms. The extension would be appropriately scaled, would infill the space between the existing outrigger and the boundary with the adjoining neighbour and would not project beyond the rear elevation of the rear outrigger. The materials of the extension would match the existing, featuring a tiled mono pitched roof, white rendered walls and grey aluminium windows. It is therefore considered a subservient and sympathetic addition to the host property that would not harm its appearance or that of the wider Preston Park Conservation Area, particularly as the works would be entirely to the rear so not visible from the streetscene.

- 9.5. The rear of the host terrace is characterised by a variety of extensions and alterations, including a number of infill extensions with mono-pitched roofs. As such, the proposed extension would be in keeping with its surrounding context.

- 9.6. Overall, the proposal would accord with Brighton & Hove City Plan Part Two policies DM21 and DM26.

Impact on Residential Amenity:

- 9.7. With regard to amenity, some impacts are expected as a result of the proposed development. The property most affected by the proposed development would be the adjoining property to the south, No.76 Waldegrave Road. As the application site is situated on a higher ground level than No.76, there is the potential for the extension to have a somewhat overbearing impact on the neighbour. However, this harm to the adjoining neighbour would be lessened by the mono pitched roof which would slope down towards the boundary to an eaves height of 3.0m. At this height it is not considered to result in a significant sense of enclosure or loss of outlook beyond that already experienced in the narrow area between the outrigger and dwelling.

- 9.8. The neighbouring property at No.76 is also not likely to experience a significant degree of overshadowing or loss of light to warrant refusal.

- 9.9. Due to the east-facing orientation of the gardens and the fact that the application site is located to the north of No.76, no impacts relating to the loss of direct sunlight are expected to occur as a result of the proposed development. There

is unlikely to be any increase in overlooking as the proposed new side elevation would have no glazing and natural light would be achieved from the rooflights.

- 9.10. It is considered that for the reasons set out above, the proposed development would not cause significant enough harm to the amenity of neighbours as to warrant a refusal of the application on this basis, and the proposal would accord with policy DM20 of the Brighton and Hove City Plan Part 2.

10. CLIMATE CHANGE/BIODIVERSITY

- 10.1. The enlargement of the dwelling would help make more efficient use of an existing residential development and a condition is recommended to incorporate a bee brick.

11. EQUALITIES

None identified

