

<u>No:</u>	BH2022/03123	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	104 Longhill Road Brighton BN2 7BD		
<u>Proposal:</u>	Roof alterations and extensions to create additional floor, with external alterations to the first floor extension, fenestration and front balcony.		
<u>Officer:</u>	Jack Summers, tel: 296744	<u>Valid Date:</u>	05.10.2022
<u>Con Area:</u>	N/a	<u>Expiry Date:</u>	30.11.2022
<u>Listed Building Grade:</u>	N/a	<u>EOT:</u>	12.01.2023
<u>Agent:</u>	Turner Associates 2D St Johns Road Hove BN3 2FB		
<u>Applicant:</u>	Mr And Mrs Lake-Gouhari 104 Longhill Road Brighton BN2 7BD		

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
Location and block plan	01	-	5 October 2022
Proposed Drawing	10	-	5 October 2022
Proposed Drawing	11	-	5 October 2022
Proposed Drawing	12	-	5 October 2022
Proposed Drawing	13	A	5 October 2022
Proposed Drawing	14	A	5 October 2022
Proposed Drawing	15	A	5 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. The relevant external finishes of the development hereby permitted shall be as follows:

- External walls in painted render or timber-effect cladding to match the appearance of those found on the existing building.
- Roof tiles to match the appearance of those found on the existing building.
- Window and door frames in powder-coated aluminium coloured white.

Reason: To ensure a satisfactory appearance to the development and to comply with policies CP12 and CP15 of the Brighton & Hove City Plan Part One; and DM18, DM21 and DM29 of the Brighton & Hove City Plan Part Two.

4. The following rooflights hereby permitted shall be obscure glazed and non-opening, unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the rooflight is installed, and thereafter permanently retained as such.
 - The 1no rooflight serving the landing at second floor level on the northwest roof slope.
 - The 2no rooflights serving Bedroom 4 at second floor level on the northwest roof slope.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policy DM20 of the Brighton & Hove City Plan Part Two.

5. One or more bee bricks 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 policies CP10 of the Brighton & Hove City Plan Part One, DM37 of the Brighton & Hove City Plan Part Two, and Supplementary Planning Document SPD11: Nature Conservation and Development.

6. Three or more swift bricks/boxes shall be incorporated within the external surface of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with policies CP10 of the Brighton & Hove City Plan Part One, DM37 of the Brighton & Hove City Plan Part Two, 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. The applicant is advised that the application of translucent film to clear glazed windows does not satisfy the requirements of condition 4.
3. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
4. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.

2. SITE LOCATION

- 2.1. The application site is a two-storey over basement detached dwellinghouse on the northeast side of Longhill Road. It is within a residential area with the closest houses to the north, northeast and southeast, and is finished with rendered walls with timber-effect cladding on the upper floors. The site is opposite (but not within) the Ovingdean Conservation Area and a Local Wildlife Site.

3. RELEVANT HISTORY

- 3.1. **BH2005/00894/FP** Three storey side extension. Refused - Appeal Dismissed
The reasons for refusal were as follows:
- 1 - The proposed development by virtue of its design and close proximity to the joint boundary with number 106 Longhill Road would create an overbearing appearance to the residential neighbour, number 106 Longhill Road, contrary to policies ENV.3 and ENV.5 of the Brighton Borough Local Plan and QD14 of the Brighton Borough Local Plan Second Deposit Draft.
 - 2 - The proposed development would lead to additional and inappropriate bulk to the overall appearance of the parent dwelling. The design and detailing of the proposed roof would further fragment the configuration of the parent dwelling. The development is considered to be contrary to policies ENV.3 of the Brighton Borough Local Plan and QD14 of the Brighton & Hove Local Plan Second Deposit Draft.
 - 3 - The additional windows to the rear elevation would further increase the level of overlooking on the property at the rear, number 102 Longhill Road, contrary to policies ENV.5 of the Brighton Borough Local Plan and QD14 of the Brighton & Hove Local Plan Second Deposit Draft.
- 3.2. **BH2003/03097/FP** Two storey side extension on the north-west elevation. Approved
- 3.3. No evidence has been found that suggests that restrictive planning conditions were applied at the time of construction.

4. RELEVANT HISTORY AT OTHER SITES

- 4.1. **BH2016/03011 - no.106 Longville Road** Raised height of front mono-pitched roof and formation of raised terraces with access steps. Approved
- 4.2. **BH2007/03875 - no.106 Longhill Road** Demolition of existing house and garage. Construction of a five-bedroom detached house with integral annexe and a detached double garage. Refused - Appeal Allowed

5. APPLICATION DESCRIPTION

- 5.1. Planning permission is sought for roof alterations and extensions to create an additional floor, with external alterations to the first floor extension, fenestration and front balcony.

6. REPRESENTATIONS

- 6.1. Nine representations have been received from a total of six persons, objecting to the proposal on the following grounds:
- Not in keeping with neighbouring properties
 - Several windows on the north elevation will become internalised
 - Lack of information regarding building height
 - Detrimental impact on neighbouring amenities due to:
 - Appearing overbearing
 - Loss of light/overshadowing
 - Loss of privacy

7. CONSULTATIONS

None

8. MATERIAL CONSIDERATIONS

- 8.1. 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.
- 8.2. 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 Joint Area Action Plan (JAAP) 2019.

9. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

SS1	Presumption in Favour of Sustainable Development
SA6	Sustainable Neighbourhoods
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP10	Biodiversity

CP12 Urban Design
CP15 Heritage

Brighton & Hove City Plan Part Two

DM1 Housing Quality, Choice and Mix
DM18 High quality design and places
DM20 Protection of Amenity
DM21 Extensions and alterations
DM29 The Setting of Heritage Assets
DM37 Green Infrastructure and Nature Conservation

10. CONSIDERATIONS & ASSESSMENT

- 10.1. The main considerations in the determination of this application relate to the design and appearance of the proposed development and its impact on the significance of the Ovingdean Conservation Area.; the potential impacts on the amenities of local residents; and impacts on highway safety.

Design and Appearance

- 10.2. The proposed development would appear as a natural upward extension of the existing dwelling, filling out the existing first floor level and creating a second floor level set within a pitched roof-form. Two dormers and five rooflights are proposed to service the new rooms at second floor level, along with a front-facing Juliet balcony within the gable.
- 10.3. The existing two-storey side extension (adjacent to the boundary with no.106) would be enlarged to form a catslide roof where it merges into the main roof-scape. This would create a vaulted ceiling above the existing kitchen and feature three large rooflights.
- 10.4. The existing front balcony at first floor level would be enlarged in terms of floor area from approximately 2.9m² to approximately 6.4m². It would be a suitably subservient addition to the building and there are no concerns with regards to its appearance.
- 10.5. In terms of the impact on the streetscene and heritage features of the adjacent conservation area, Longhill Road lacks a unifying design character and features a diverse range of development. It is not therefore considered that the increase in height of approximately 1.5m is significant or would lead to harm to the visual amenities or character of the local built environment.
- 10.6. It is noted in the representations received that existing and proposed streetscene contextual elevations have been requested. It is not considered that such drawings are necessary in order to determine the application and therefore have not been sought in this instance. No.104 is set much further forward in its plot than either adjacent property (nos.100 and 106, with no.102 being set to the rear of no.104).

- 10.7. Moreover, a site visit confirmed that the closest dwellings are set behind dominant front boundary walls and upon higher ground so there is not a strong street character along this section of Longhill Road. It is not therefore considered necessary for the application site to emulate either adjacent dwelling in terms of form or scale. The application property is proposed to increase in height, but this is not considered in this instance to create an incongruous appearance.
- 10.8. Concerns have also been raised that the submitted drawings do not allow for convenient comparisons to be made between the existing and proposed developments, and that an outline of the existing form of the building should be shown on the proposed drawings. This is not a validation requirement, and it is considered by the LPA that the submitted drawings provide adequate information for an assessment to be made, particularly as a dashed outline of the existing side extension is shown. As abovementioned, the increase in height of the building is approximately 1.5m.
- 10.9. The proposed external materials for the development shall be secured by condition in the interest of visual amenity. The materials mentioned in the application form are similar to those seen on the existing dwelling on site and are considered acceptable. These include walls finished in painted render and horizontal timber-effect cladding, white-framed fenestration, and brown clay tiles.

Impact on Heritage Assets

- 10.10. A site visit revealed that this section of Longhill Road is sandwiched between the tall boundary walls of the application site and its neighbouring properties, and the wall and mature vegetation on the edge of the Ovingdean Conservation Area. The proposed development would not be highly visible from within the Conservation Area due to the presence of mature vegetation along the south edge of Longhill Road. Therefore, it is considered to have a neutral impact on the significance of this designated heritage asset.

Impact on Amenities

- 10.11. Concerns have been raised that the proposed development would have an unacceptable impact on the amenities of local residents by reason of appearing overbearing, causing a loss of light, and resulting in a loss of privacy. These concerns shall be addressed in turn.
- 10.12. The proposed development would result in an increased visual impact when viewed from the front garden of no.106, and this is noted. However, the front garden of no.106 is sizeable, and the increase in scale resultant from the development is not significant in this context. The increase in height adjacent to the boundary (building up a parapet wall) is insignificant at approximately 0.2m, and whilst the main dwelling is increasing in height by approximately 1.5m this additional height is set off the shared boundary and not substantially different from the existing roof-form. It is considered that occupants of no.106 are unlikely to be significantly impacted upon by the increased bulk of no.104 in terms of visual impact from any windows within their own property. The impact would be increased within the garden of no.106 but is considered to remain acceptable.

- 10.13. With regards to loss of light, the only properties likely to be affected are nos.102 and 106 Longhill Road; consideration should be given to the fact both these properties sit on higher land than the application site. The front garden of no.106 would be within the shadow of the application property in the morning hours, and the front garden of no.102 would be impacted in the first half of the afternoon. In this instance the potential impact of lost sunlight is considered to be acceptable, given the relatively minor increase in height (of approximately 1.5m) to the application property. The main bulk of the property is set off neighbouring boundaries with a pitched roof not dissimilar to the existing property in form.
- 10.14. With regards to loss of privacy, the proposed development introduces new openings and could have impacts on the privacy of occupants of all three adjacent properties.
- 10.15. From the north-western side elevation, views from windows at first floor level already have unobstructed views across the front garden of no.106; the proposed development would in fact lessen the impact by reducing views from the bedroom and bathroom windows (through the abovementioned vault ceiling rooflights). Three new rooflights within the main roofscape could cause additional overlooking and it is considered necessary for these rooflights to be fitted with obscure glazing and be fixed shut to an internal height of no less than 1.7m.
- 10.16. From the north-eastern elevation, a new rooflight would be inserted but would relate to a stairwell so there are no concerns regarding loss of privacy. The rear windows of bedroom 3 and an ensuite bathroom at first floor level could provide views into the front garden of no.102 increasing actual and perceived loss of privacy. However, windows could be inserted into the rear elevation under 'permitted development' rights, and an existing rear-facing dormer window provides similar views into the curtilage of no.102. In light of this. It is not therefore considered reasonable to impose a restrictive condition regarding these two new windows in this instance. One of the windows is annotated to be 'obscure glazed' and the other serves the ensuite, so it would presumably be to the benefit of the occupants' own privacy to have obscure glazing fitted, therefore the developer is encouraged to restrict views from these windows, but it is not reasonable to secure via planning condition in this instance.
- 10.17. To the southeast, the enlarged balcony would be more likely to be used for amenity purposes (the existing one being very slender and not appearing to be highly usable) and result in increased chance of overlooking the garden of no.100. The balcony is an acceptable distance from the boundary with this neighbouring property and it is also noted the balcony would provide no views into any windows on this neighbouring property. It is therefore considered that the impact would be acceptable. Likewise, views from the proposed side dormer would be acceptable and it is not considered any restrictive conditions are necessary. The single side rooflight servicing bedroom 5's ensuite is unlikely to be used to look out from for long periods of time and it is not considered the impact on the privacy of residents of no.100 is likely to be significant.

Impact on the Public Highway

- 10.18. The proposed development would increase the size of the dwelling, but not to such an extent as it is considered likely to result in an increased impact on highway capacity or road safety.

Standard of Accommodation

- 10.19. The 'Nationally Described Space Standards' (NDSS) were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. These standards have been formally adopted into policy DM1 of the CPP2 and can be given significant weight.
- 10.20. The proposed development would increase the gross internal area (GIA) of the building to approximately 291.5m². This GIA is measured in conjunction with a qualitative assessment of the usability of the total space in terms of layout and circulation, and the provision of natural light and outlook to determine if a good standard of accommodation would be enjoyed by future residents.
- 10.21. The property is laid out with five double bedrooms over four levels. The NDSS does not include a minimum GIA for such a layout; however, it is considered that the overall size of the building is acceptable and should provide a spacious and comfortable standard of living.
- 10.22. Concerns have been raised that the northwest-facing windows at first floor level relating to bedroom three and the adjacent bathroom would become internalised by the creation of the catslide roof. This would not be of concern in relation to the bathroom in terms of the standard of accommodation, but in relation to bedroom 3, it would have a detrimental impact upon the outlook from this bedroom and by extension the standard of accommodation for any future occupant. However, the bedroom would still receive acceptable daylight through both windows and would still have some outlook through the proposed rooflight, though it is acknowledged this would be reduced. This minor failing of the design is noted but it is not considered to cause harm to a degree that would justify withholding planning permission in this instance. As a (C3) single dwellinghouse, the occupant of this room would have access to the rest of the dwellinghouse including spacious communal spaces at ground floor level, and their standard of accommodation would remain acceptable.

Other Considerations

- 10.23. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bumblebees and swifts. A suitably worded pair of conditions will be attached to secure an appropriate number of bee bricks and swift bricks within the proposal in order to help meet the requirements of policy CP10 of the City Plan Part One.
- 10.24. Given its siting and the extent of the proposed works, it is not considered that the development is likely to have any detrimental impact on the biodiversity within the Local Wildlife Site.

Conclusion

10.25. The proposed development is considered to be acceptable in terms of appearance and the impacts it may have on the amenities of local residents. External materials, the fitting with obscure-glazing and fixing shut of certain windows and rooflights, and biodiversity improvements shall be secured by condition. For the foregoing reasons the proposal is considered to be in accordance with policies CP9, CP10, CP12 and CP15 of the Brighton and Hove City Plan Part One, and DM1, DM18, DM20, DM21, DM29 and DM37 of the City Plan Part Two.

11. EQUALITIES
None identified

12. CLIMATE CHANGE/BIODIVERSITY

12.1. Biodiversity improvements including bee and swift bricks shall be secured by condition within the approved development.

