

<u>No:</u>	BH2022/03474	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	36 Gorham Avenue Rottingdean Brighton BN2 7DP		
<u>Proposal:</u>	Erection of single storey first floor rear extension, porch to front, new pitched roof over garage and 1no front rooflight.		
<u>Officer:</u>	Vinicius Pinheiro, tel: 292454	<u>Valid Date:</u>	08.11.2022
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03.01.2023
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Mel Humphrey 9 Aldsworth Avenue Goring By Sea Worthing BN12 4XQ		
<u>Applicant:</u>	Mr Mike and Gill Greenhalgh 36 Gorham Avenue Rottingdean Brighton BN2 7DP		

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	2022/161	A	26 January 2023
Location and block plan	2022/161		8 November 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 walls of the extension hereby approved shall be composite cladding. All other 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 policies DM18 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.
4. At least one 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 detached dwellinghouse located on the south-eastern side of Gorham Avenue.

3. RELEVANT HISTORY

- 3.1 None

4. APPLICATION DESCRIPTION

- 4.1 Planning consent is sought for the erection of single storey first floor rear extension, porch to front, new pitched roof over garage and 1no front rooflight.
- 4.2 Amended plans have been received during the course of the application to retain the flat roof over the rear part of the existing garage.

5. REPRESENTATIONS

One (1) letter has been received objecting the proposed development on the following grounds:

- Overshadowing
- Impacts on daylight/sunlight

Councillor's Fishleigh has objected to the proposal: a copy of the representation is attached.

6. CONSULTATIONS

Rottingdean Parish Council: No Objection

Rottingdean Parish Council examined the proposals for a single storey first floor rear extension, porch to the front and new pitched roof.

The rear extension is planned as a first-floor extension to existing ground floor rooms and wouldn't increase the footprint of the property. It wouldn't be directly from the road and appears to be proportionate compared with neighbouring properties.

The front porch and new pitched roof over garage would be visible from the road, but the style and materials planned would be in keeping with the other local properties, so it's not considered that this would have a negative impact on the street scene.

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.

The Development Plan comprises:

- 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)

Rottingdean Neighbourhood Plan

The policies in Rottingdean Neighbourhood Plan carry limited weight at present but will gain weight as the Plan proceeds through its stages.

The draft Neighbourhood Plan (NP) was submitted to the Council in early 2023. The draft NP reflects previous local community and stakeholder engagement undertaken across the Neighbourhood Area by the Parish Council including a period of public consultation under Regulation 14 of the NP Regulations in 2021. The Council published the draft Plan for pre-submission (Regulation 16) consultation in February 2023. The next steps for the plan are for it to be submitted for examination by an independent examiner. The NP examination is likely to commence in the summer/autumn of 2023.

The policies relevant to the present application are:

H2: Design

Brighton & Hove City Plan Part One:

SS1 Presumption in Favour of Sustainable Development
CP10 Biodiversity
CP12 Urban design

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
DM37 Green Infrastructure and Nature Conservation

Supplementary Planning Documents:

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 design and appearance of the proposed alterations and whether the proposal would have a detrimental impact on neighbouring amenity.
- 9.2 Amended plans have been received since submission of the application to retain the flat roof over the rear part of the existing garage, in order to mitigate harm to the amenities of the eastern sited neighbouring property, as discussed in more detail below.

Design and Appearance:

- 9.3 The proposal is considered to be acceptable.
- 9.4 The application seeks permission for an additional storey on the existing single storey rear extension. The proposed development would not increase the depth of the existing rear extension. The walls of the extension would be composite cladding. The roof of the extension would be dual pitched, would be set lower from the main ridge and one part of the dual roof would be set lower than the other.
- 9.5 Although the cladding material of the proposed extension is not in keeping with the existing materials of the property, it is noted that the site is not a listed building and does not lie within a conservation area. The proposal would be contained to the rear of the property and would have limited visibility from the public realm. Furthermore, it is noted that some of the properties along the road

provide a variety of materials and colours to the front elevation. Therefore, the proposed cladding is considered to be acceptable.

- 9.6 The locality is residential in character with detached properties dominating in the vicinity of the application site. Notwithstanding this, there is a clear lack of uniformity between properties within the street scene.
- 9.7 The highest ridge of the dual roof extension would be set down approximately 0.12m from the ridge of the existing main roof. This would ensure that the resulting two storey extension would remain subservient to the main dwellinghouse. It would also be in accordance with SPD12: Extensions and Alterations guidance which states that: *"Two storey rear extensions should generally have a roof form which reflects that of the host building. A pitched roof extension should normally be set lower than the main ridge of the roof."* The proposed extension is therefore considered a sympathetic addition to the host dwellinghouse that would not be detrimental to its appearance.
- 9.8 There is no objection to the proposal on design or appearance grounds. It is acknowledged that the proposed extensions would add significant bulk to the building. However, it is well designed in terms of relating to the existing features of the building and is not considered visually intrusive or overly dominant.
- 9.9 A wide variety of ground floor, two storey and roof extensions exist within the immediate and wider area so the proposed extension is unlikely to be overly harmful to the character and appearance of the surrounding area, and certainly not to a degree sufficient to warrant a refusal of the application, particularly as it would be to the rear, so would have no impact on the streetscene.
- 9.10 The proposal also includes a porch to the front of the property. A variety of porch extensions are visible within the immediate vicinity of the site that are not uniform in appearance. Therefore, there is no objection to this addition.
- 9.11 The design and materials of the new pitched roof over garage would not disrupt the visual of the streetscene, considering the variety of materials and design of the neighbouring properties. The garage is set back from the front elevation and is not highly visible from all parts of the streetscene and it is considered to be acceptable.
- 9.12 The proposal seeks to install a single rooflight to the front elevation. The rooflight will be positioned in between the existing rear dormers and its size is in line with the guidance set out in SPD12: Extensions and Alterations.
- 9.13 The new window to the side elevation would match the materials and design of the existing ground floor window and it is considered to be acceptable.
- 9.14 Overall it is considered that the proposal would represent subordinate and sympathetic additions/alterations to the host property that would not harm the appearance of the host property or that of the surrounding area, in accordance with Brighton & Hove City Plan Part Policy CP12 and Brighton & Hove City Plan Part Two Policies DM18 and DM21, and SPD12 guidance.

Impact on Amenity:

- 9.15 Policy DM20 of City Plan Part 2 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.

It is noted that objections have been received relating to overshadowing and impacts on daylight/sunlight. Whilst these objections are acknowledged, no significant adverse impacts are expected as a result of the proposed development that would justify a refusal of the application.

- 9.16 Amended plans have been received since submission of the application to retain the flat roof form over the rear section of the existing garage to mitigate harm in terms of overshadowing to no. 38. Although some impact is expected as a result of the remaining pitched roof over the front of the garage, it is acknowledged that the roof slopes away from the boundary shared with number 38 as well as from their side elevation and given the orientation of no. 36 to the west of no. 38. It is also important to note that a similar relationship exists between no. 38 and no.40 which was granted planning permission in 2020. Therefore, although some harm is expected, the harm is not enough to warrant a refusal at this stage.
- 9.17 It is noted that the eaves of the proposed flat roof would be of a similar height than existing, therefore, the proposal would not increase in height nearest to the boundary with no. 38 and the impact would be of a similar scale.
- 9.18 Furthermore, from assessment of the photos submitted with the application and from the officer own site visit carried out, it is apparent that the neighbour's side windows potentially affected are not the primary windows serving the property as there is a significant amount of glazing on the rear elevation.
- 9.19 The extension would be set away from No. 34 Gorham Avenue and although some impact is expected, the impact is mitigated considering the south-eastern gardens the properties benefit from.
- 9.20 The proposed extension would back onto the rear garden of 70 Dean Court Road but would be a significant distance from the boundary and rear elevation of this property and is not therefore considered excessively overbearing.
- 9.21 The new fenestration and openings created at the rear would not substantially increase overlooking from that of the existing situation. The proposed extension would provide no more of a view of the neighbouring properties than the existing apertures, or a view from within the garden. Therefore, the potential impact on the privacy of the neighbours is not considered to be harmful.
- 9.22 The new side window would be 1350mm wide and would serve a bathroom. No impact on privacy is, therefore, expected.

- 9.23 Overall, it is considered that, for the reasons set out above, whilst some harm to the neighbours has been identified, the identified harm is not to a magnitude to warrant a refusal, and as such the proposal complies with DM20 of the Brighton and Hove City Plan Part 2.

Standard of Accommodation

- 9.25 The proposed extension would enlarge the existing communal space for the dwellinghouse, which would improve the overall floorspace and standard of accommodation in accordance with policy DM1 of City Plan Part Two.

10. EQUALITIES

- 10.1 None identified

11. CLIMATE CHANGE/BIODIVERSITY

- 11.1 A condition is attached requiring the installation of a bee brick which will assist improving the biodiversity on site.

12. COMMUNITY INFRASTRUCTURE LEVY

- 12.1 Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

