

<u>No:</u>	BH2023/00127	<u>Ward:</u>	Goldsmid Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	8 The Upper Drive Hove BN3 6GN		
<u>Proposal:</u>	Erection of first floor side extension with hipped flat-top roof, above existing ground floor side extension. Alterations to fenestration.		
<u>Officer:</u>	Alice Johnson, tel: 296568	<u>Valid Date:</u>	13.01.2023
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	10.03.2023
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	CMK Planning 11 Jew Street Brighton BN1 1UT		
<u>Applicant:</u>	Mrs A Beatty 8 The Upper Drive Hove BN3 6GN		

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	225.13		13 January 2023
Proposed Drawing	225.14		13 January 2023
Location Plan	05225.00		13 January 2023
Block Plan	05225.01 02		8 March 2023
Proposed Drawing	225.15 03		7 March 2023

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. 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 DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

4. The development hereby permitted shall incorporate at least three swift bricks/boxes within the external walls of the development and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

5. 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 policies DM18 and DM21 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.

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.
3. 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 where appropriate.

2. SITE LOCATION

- 2.1. No.8 The Upper Drive is a detached dwellinghouse located on the south side of The Upper Drive. To the west elevation is an existing ground floor extension, this application proposes to add an additional storey on top of the existing extension.
- 2.2. Within the immediate vicinity of no.8 the housing typography and design is varied. Flats, terraced houses, detached and semi-detached properties are present within the immediate streetscene. Predominantly these are redbrick properties; however, some properties are covered in white paint/render. To the north of no.8 flats, of a more modern design, have been erected.
- 2.3. It has been noted that scaffolding appears to have been erected on the site. Confirmation has been given by the agent that this is based on the extant lawful development certificate.

3. RELEVANT HISTORY

3.1. **BH2016/01075** Certificate of Lawfulness for proposed loft conversion incorporating rear and side dormers and rooflights to side and rear. Approved 02.08.2016

3.2. **BH2001/00391/FP** Erection of 2 storey side extension. Approved 07.09.2001

4. APPLICATION DESCRIPTION

4.1. Planning permission is sought for the erection of a first-floor side extension with a hipped flat-top roof, above the existing ground floor side extension. Planning permission is also sought for alterations to the fenestrations.

5. REPRESENTATIONS

5.1. **Five (5)** representations have been received, objecting to the proposal on the following grounds:

- Noise.
- Overdevelopment.
- Loss of privacy for neighbouring properties.
- Inappropriate height of development.
- Restriction of view.
- Residential amenity.
- Detrimental to the character and appearance of the area through the removal of the space between properties.
- Overshadowing.
- Too close to the boundary.

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 Joint Area Action Plan (JAAP) 2019.

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

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 the design and appearance of the proposed development and their impact on neighbouring amenity.
- 9.2. A case officer site visit was previously carried out in relation to the withdrawn application BH2022/02261. The impacts of the proposal can be clearly assessed from this previous visit photos, the plans and photos provided and from recently taken aerial imagery of the site.

Design and Appearance

- 9.3. The first-floor extension would be located on top of the existing ground floor side extension.
- 9.4. The proposed first floor extension would have a depth of approximately 9.6m, a maximum height of approximately 7.1m and an eaves height of approximately 6m, all measured from ground level. The extension would be set back from the rear elevation. The extension would also be set back from the front elevation of the extension house and ground floor extension by 0.4m. The ridge of the extension's roof would be stepped down considerably from the ridge height of the main roof of the property. This set down and setback from the front, side and rear enables the extension to appear as a suitably subordinate addition to the main dwelling, particularly considering the size of the existing property. The

extensions width of approximately 3.6m would be substantially smaller than the width of the existing dwellinghouse avoiding the appearance of an over-extension.

- 9.5. The external materials of the extension would match the existing dwellinghouse. The similarity of these materials would aid the coherent appearance of the existing dwellinghouse and the proposed extension.
- 9.6. At ground floor level a window is to be added to the existing west elevation. This window will be small in scale and will match the existing window colour and material. The proposed windows on the west elevation at first floor level will match this window.
- 9.7. Within the streetscene property typology and appearance varies considerably. Between the detached properties built form there are visual gaps. Whilst the proposal would infill the gap at first floor level it would not remove the gap completely between no.8 and no.6 and both would still appear as separate properties when viewed from the streetscene.
- 9.8. The extensions and alterations are considered suitable additions to the building that would not harm its appearance or that of the wider area, in accordance with policy DM18 and DM21 of City Plan Part 2 and SPD12 guidance.

Quality of Accommodation

- 9.9. Under policy DM1 residential extensions are expected to comply with the Nationally Described Space Standards. The additional two bedrooms would meet the Nationally Described Space Standards in terms of size required for a single bedroom. Both rooms would have adequate light and outlook.

Impact on Amenities

- 9.10. Policy DM20 of City Plan Part 2 states that planning permission for development including change of use will be granted where it would not cause unacceptable loss of amenity to the proposed, existing and / or adjacent users, residents, occupiers or where it is not liable to be detrimental to human health.
- 9.11. With regard to amenity, no significant adverse impacts are expected as a result of the development. The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, overshadowing, outlook, noise and privacy following an investigation and no significant harm has been identified.
- 9.12. The potential noise impact caused by the building works themselves, and any damage caused during those works, are not a material planning consideration to be given any weight in the assessment of this proposal.
- 9.13. Concerns have been raised about the potential for overlooking and a detrimental impact on neighbouring amenity through the addition of rear and side windows. The windows to the side elevation are high level windows set 1.7m above floor and ground level. These windows provide light to two bathrooms and a staircase. The transient nature of these spaces combined with the high-level location of the windows mitigate the opportunity for these side windows to provide

significant overlooking and privacy impacts on neighbouring properties. The window to the rear at first floor level would not provide significantly additional views than the existing first floor rear windows.

- 9.14. Due to the location and orientation of the proposed extension it is not likely to cause additional overshadowing for neighbouring properties.
- 9.15. Concerns have been raised that the extension would restrict the view of neighbouring properties. While the extension would infill the currently empty space at first floor level between nos. 8 and 6, it is not considered that any significant views from neighbouring properties would be blocked.
- 9.16. While in close proximity to the boundary with no.6, the set back of the extension from the front, side and rear of the existing property elevations would limit the potentially overbearing appearance of the extension to an acceptable level.

Other Considerations

- 9.17. 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 condition will be attached to secure a bee brick and swift bricks within the proposal in order to help meet the requirements of policies CP10 and DM37.

10. CLIMATE CHANGE/BIODIVERSITY

- 10.1. The proposed works would modernise and increase the flexibility of the current property. A bee brick and swift bricks have been secured by condition potentially increasing biodiversity in the location.

11. EQUALITIES

None identified