

**PLANS LIST  
ITEM J**

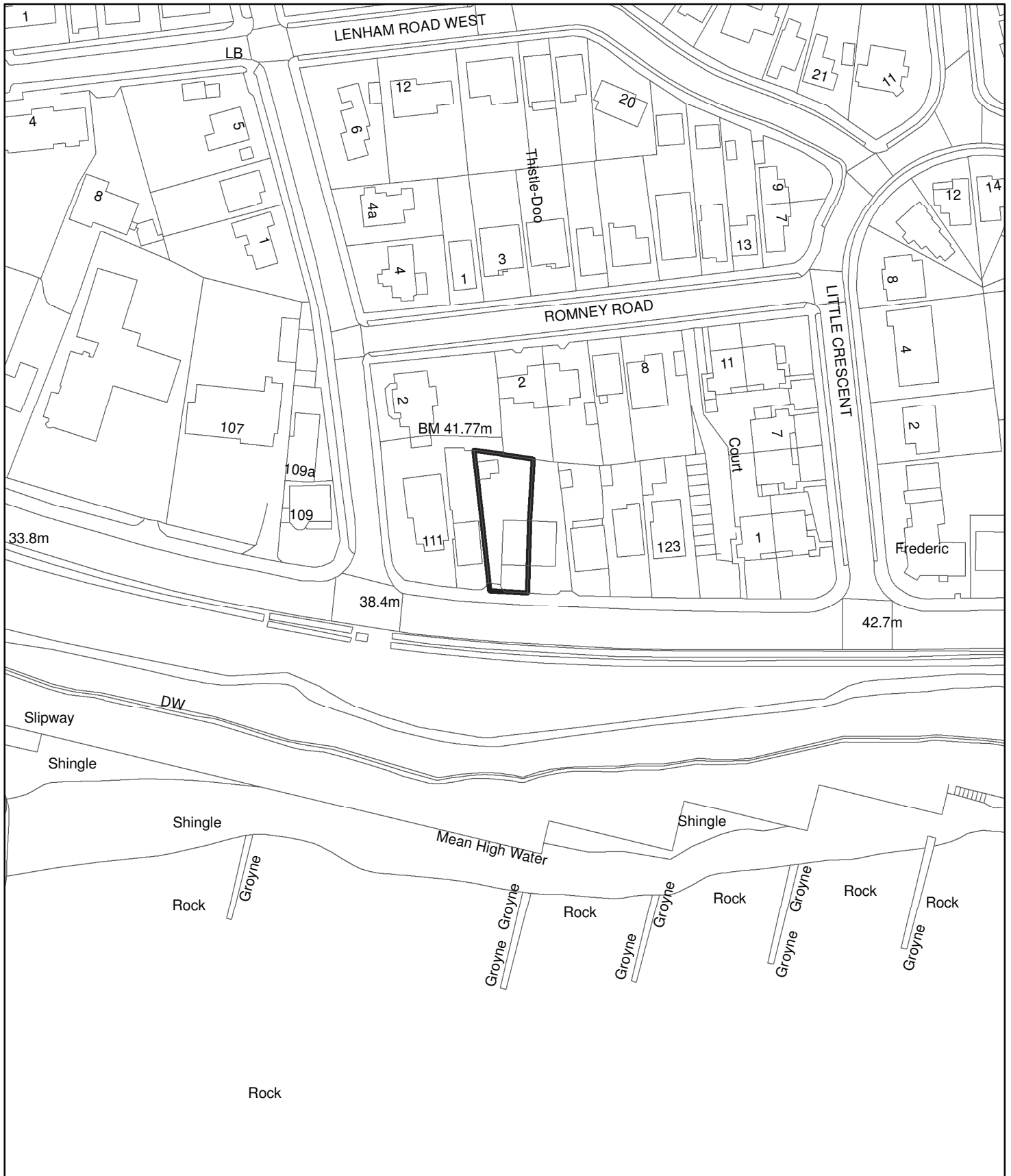
**115 Marine Drive, Rottingdean**

**BH2012/01111**

**Householder planning consent**

**29 AUGUST 2012**

# BH2012/01111 115 Marine Drive, Rottingdean.



**Brighton & Hove  
City Council**

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|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------|
| <b><u>No:</u></b>                    | <b>BH2012/01111</b>                                                                                                                                       | <b><u>Ward:</u></b>        | <b>ROTTINGDEAN COASTAL</b> |
| <b><u>App Type:</u></b>              | <b>Householder Planning Consent</b>                                                                                                                       |                            |                            |
| <b><u>Address:</u></b>               | <b>115 Marine Drive, Rottingdean, Brighton</b>                                                                                                            |                            |                            |
| <b><u>Proposal:</u></b>              | <b>Single storey rear extension to dwelling house with mono pitched roof and creation of front hardstanding and remodelling/raising of front terrace.</b> |                            |                            |
| <b><u>Officer:</u></b>               | <b>Aidan Thatcher Tel: 292265</b>                                                                                                                         | <b><u>Valid Date:</u></b>  | <b>30/04/2012</b>          |
| <b><u>Con Area:</u></b>              | <b>N/A</b>                                                                                                                                                | <b><u>Expiry Date:</u></b> | <b>25 June 2012</b>        |
| <b><u>Listed Building Grade:</u></b> | <b>N/A</b>                                                                                                                                                |                            |                            |
| <b><u>Agent:</u></b>                 | <b>Kim Strasman Associates, The Studio, 1 Northgate Cottages, The Green, Rottingdean</b>                                                                  |                            |                            |
| <b><u>Applicant:</u></b>             | <b>Ms Karen Holness, 115 Marine Drive, Rottingdean</b>                                                                                                    |                            |                            |

## **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 Informative set out in section 11.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The application site is located in a residential area. It is a two storey semi detached property dating from approximately 1930s, located on the north side of Marine Drive in an elevated position benefiting from southern views towards the coast.
- 2.2 The property benefits from an existing drive to the western side of the property itself, leading to a detached double garage within the rear garden. The site also includes a front garden area, which is currently elevated compared to the level of the access drive.
- 2.3 The site slopes slightly downward to the south, towards the road frontage, with the dwelling itself being elevated above the road level.

## **3 RELEVANT HISTORY**

None.

## **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of a rear extension measuring 3.3m deep x 3.3m wide x 2.2m to eaves level and 3.0m to ridge height (being a mono pitched roofline sloping up towards the shared boundary with the neighbouring property).
- 4.2 Also proposed is the excavation and levelling of part of the front garden, directly in front of the house, for use as a vehicle parking area, together with

amendments to the existing front balcony, altering the positioning of the stepped access to this.

- 4.3 Amended plans have been submitted during the course of the application, removing alterations to the existing garage to the rear of the property and reducing the height of the mono-pitched element of the rear extension.
- 4.4 Additional information has been submitted at the request of the Local Planning Authority relating to the use of the property as a short term let, as raised by objectors to the scheme.

## 5 PUBLICITY & CONSULTATIONS

### External

- 5.1 **Neighbours:** On initial plans **Five (5)** letters of representation have been received from (**nos. 111, 113, 117 and 157 Marine Drive and 2 Romney Road**) objecting to the application for the following reasons:
- The size of the garage extension is out of proportion and increases its size by 150%;
  - Overshadowing;
  - Overbearing impact;
  - Overlooking and loss of privacy;
  - Overdevelopment of the site;
  - Increased noise and disturbance;
  - Use of the property as a holiday let;
  - Increased traffic;
  - Inappropriate design;
  - Out of character with the surroundings;
  - No details of the type of work to be carried out within the work space;
- 5.2 On amended plans: **Three (3)** letters of representation has been received from (**nos. 111, 113 and 117 Marine Drive**) objecting to the application for the following reasons:
- Use of the property as a holiday let;
  - Increase in noise and disturbance;
  - Increased traffic;
  - Loss of light; and
  - Loss of privacy.
- 5.3 **Rottingdean Parish Council:** On initial Plans: Objects to the application. The proposal amounts to back garden development, creating a separate dwelling in what is now a garage in addition to living accommodation extensions to the main house. The extension of the garage will cause loss of light and loss of privacy to 117 Marine Drive and constitute a complete overdevelopment of the site.
- 5.4 Also questions the use of the property for holiday lettings.

On amended plans:

- 5.5 Objects to the amended application on the grounds that it is an overdevelopment of a building that is being used for commercial purposes which have been detrimental in terms of noise to adjoining neighbours.

**Internal:**

- 5.6 **Sustainable Transport:** (on initial plans). Recommended approval as the Highway Authority have no objections to this application.
- 5.7 The applicant is retaining the existing level of car parking provision and is not providing additional parking spaces. The parking space lost due to the development of the double garage is replaced by the proposed car parking space to the front of the property. SPG04 states that the maximum car parking standard for a house outside of a CPZ is 1 space per dwelling plus 1 car space per 2 dwellings for visitors. Therefore the applicant is retaining the existing level of car parking provision and the level is in line with the maximum standards within SPG04.
- 5.8 The proposed changes to parking and the creation of an area of hardstanding to the front of the property should also permit safer access and egress from the property.
- 5.9 The only existing cycle parking space for this development is lost due to the proposed development of the double garage. As only a single garage is proposed, this does not allow adequate room for a car and space to store bikes. Therefore the Highway Authority would recommend that alternative cycle parking is provided to replace the existing cycle parking that will be lost due to the development of the garage.
- 5.10 SPG04 states that a minimum of 1 cycle parking space is required for every dwelling. For this development of 1 house the minimum parking standard is 1 cycle parking space. In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered.
- 5.11 As there is adequate space within the red line boundary to accommodate cycle parking the Highway Authority would be happy for this to be conditioned.

**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:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006);

- Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 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 Local Plan:

|      |                                                                     |
|------|---------------------------------------------------------------------|
| SU2  | Efficiency of development in the use of energy, water and materials |
| QD1  | Design – quality of development and design statements               |
| QD2  | Design – key principles for neighbourhoods                          |
| QD3  | Design – efficient and effective use of sites                       |
| QD4  | Design – strategic impact                                           |
| QD14 | Extensions and alterations                                          |
| QD15 | Landscape design                                                    |
| QD27 | Protection of Amenity                                               |

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main issues in the determination of this application are the impact on the host property and street scene and amenity issues.

### **Impact on the original property and wider area**

- 8.2 Policy QD1 relates to design and the quality of new development. It confirms that all proposals for new buildings must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment.
- 8.3 Policy QD2 relates to design and key principles for neighbourhoods. It confirms that new development should be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, including:
- a. Height, scale, bulk and design of existing buildings;
  - b. Topography and impact on skyline;
  - c. Natural and developed background or framework against which the development will be set;
  - d. Natural and built landmarks;
  - e. Layout of street and spaces;
  - f. Linkages with surrounding areas;
  - g. Patterns of movement within the neighbourhood; and
  - h. Natural landscaping.

- 8.4 Policy QD14 relates to extensions and alterations, and confirms that they will only be granted if the proposals are well sited, designed and detailed in relation to the host property.
- 8.5 The proposed extension, as shown on the amended plans (extending the dwelling only and not the garage) is situated to the rear of the building, and thus has no impact on the character or appearance of the frontage of the building or the wider street scene.
- 8.6 The proposed extension would be used for additional living accommodation for the existing dwelling, and is to be utilised as a breakfast room, and will form part of an enlarged kitchen.
- 8.7 The extension is to be rendered and painted to match the existing dwelling, with timber or UPVC framed windows and doors to match the existing building also.
- 8.8 The design is simple, with a mono-pitch roof sloping down from the shared boundary with no. 117, incorporating a roof pitch that matches the hipped element on the main roof of the original dwelling. As such, it is considered that the proposed extension would integrate effectively with the existing building without causing any harm to its character or appearance and therefore the extension is acceptable in design terms.
- 8.9 The application also proposes amendments to the front garden area to allow of an off street parking space. This involves the excavation and levelling of this area together with hard landscaping by virtue of new paving.
- 8.10 It is also proposed to amend the existing front balcony, and provides for a new stepped access to this from the proposed parking area through 7 steps and a handrail. The front balcony is already in situ, and the new access up to this is only required due to the change in levels of the front garden area and is not considered to cause any harmful impact on the character, appearance or setting of the existing dwelling.
- 8.11 Whilst it is noted that this alteration is to the front of the existing dwelling, it is considered to have a neutral impact on the wider street scene, where it is noted there are a high variety of front garden and boundary treatments.
- 8.12 As such, the proposal is considered to be acceptable in design terms.

**Amenity issues**

- 8.13 Policy QD27 relates to amenity issues and confirms that permission will not be granted for proposals which cause material nuisance and loss of amenity to adjacent, existing or proposed occupiers.
- 8.14 The proposed rear extension would project 3.3m from the rear elevation, adjacent to the shared boundary with no. 117. This level of projection is considered to be modest, and the closest neighbouring window is a large set of patio doors, and thus it is not considered that there would be any significant loss of sunlight or daylight, particularly having regard to its north facing aspect.



- 8.15 The proposal does include a mono-pitched roofline, with the higher side adjacent to the shared boundary with no. 117, however due to the large scale of the windows to no. 117 and the limited rear projection of the proposed extension; it is not considered that this would have a harmful impact on the neighbouring property and therefore would not warrant ground for refusal.
- 8.16 There are no windows in the east elevation, but there are patio doors in the west. This would predominantly overlook the existing garden and driveway of no. 115 and thus would not cause any harm in terms of loss of privacy or overlooking.
- 8.17 The proposed alterations to the front of the dwelling are not considered to cause any amenity harm, as the balcony is already in situ.
- 8.18 As such, there are not considered to be any harmful impacts in terms of amenity arising from the proposed development.

**Highway issues**

- 8.19 Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling.
- 8.20 Policy TR2 relates to public transport accessibility and parking and confirms that permission will only be granted where the development proposal has been assessed to determine the level of accessibility to public transport.
- 8.21 Policy TR14 confirms that all proposals for new development and change of use should provide facilities for cyclists in accordance with the parking guidance.
- 8.22 The comments from the Sustainable Transport Team are noted, in that there are no adverse highway issues. They do recommend a condition relating to re-providing cycle parking provision that would be lost due to the conversion of the garage, however this is now being retained and as such a condition to this effect is not required.
- 8.23 Therefore, there are no adverse highway issues arising from the proposal.

**Other issues**

- 8.24 There have been a number of objections from the neighbours and also Rottingdean Parish Council regarding the use of the property as a short term let.
- 8.25 Additional information has been provided at the request of the Local Planning Authority detailing how the existing property is being used. This clarifies that the use is as a residential dwelling, with some short term lets taking place on an infrequent basis during the year. Specifically, during the period October 2011-September 2012, 10 short term lets have taken, or are due to take place.



8.26 The applicant has confirmed the intention to move into the property in September 2012.

8.27 Based on the evidence the property is considered to be operating within Class C3 use, and therefore the proposal is considered on that basis.

## 9 CONCLUSION

9.1 The application seeks to extend the ground floor flat to create additional living accommodation. This is considered to be of appropriate design, materials and would not cause any harm to the amenity of existing residents. As such the scheme is considered to be in accordance with Development Plan policy.

## 10 EQUALITIES

10.1 None.

## 11 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 |
|---------------------|-----------|---------|---------------|
| Location Plan       | 01        | -       | 12.04.12      |
| Block Plan          | 02        | B       | 22.05.12      |
| Existing Elevations | 03        | -       | 12.04.12      |
| Existing Plans      | 04        | -       | 12.04.12      |
| Proposed Plans      | 05        | A       | 22.05.12      |
| Proposed Elevations | 08        | B       | 11.07.12      |

3) 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 QD1 and QD14 of the Brighton & Hove Local Plan.

### 11.2 Informatives:

1. 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

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- (ii) for the following reasons:-  
The application proposal is considered to be of appropriate design, materials and would not cause any harm to the amenity of existing residents. As such the scheme is considered to be in accordance with Development Plan policy.