

ITEM J

52 Ainsworth Avenue Brighton

BH2013/01938
Householder Planning Consent

BH2013/01938 52 Ainsworth Avenue, Brighton



**Brighton & Hove
City Council**



Scale : 1:1,250

<u>No:</u>	BH2013/01938	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	52 Ainsworth Avenue Brighton		
<u>Proposal:</u>	Erection of extension to first floor including dormer and window to front, windows to sides and Juliet balconies to rear.		
<u>Officer:</u>	Pete Campbell Tel 292359	<u>Valid Date:</u>	17/06/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	12 August 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	ABIR Architects Ltd, Unit 1 Beta House St John's Road Hove BN3 2FX		
<u>Applicant:</u>	Mr N Childs, 52 Ainsworth Avenue Brighton BN2 7BG		

1 RECOMMENDATION

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 **REFUSE** planning permission for the reason set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the southern side of Ainsworth Avenue, which is a suburban residential street occupied by dwellings of varied character and form. The application property is a modestly sized bungalow with additional accommodation in the roof space. The property stands as one of a pair along with no.54 Ainsworth Avenue, which originally would have been built to a matching design.
- 2.2 The application property features a side dormer, ground floor rear extension with a flat roof and rear decked terrace on two tiers. The building is set well back from the highway behind an open paved driveway. At the rear of the dwelling is a long and sizable garden which slopes steeply down to the south.
- 2.3 Directly to the western side of the dwelling is a private driveway which provides access to no.50 Ainsworth Avenue. This property is a back-land development, situated behind the established line of properties which front on to Ainsworth Avenue. This neighbouring property is located directly to the south of no.48 Ainsworth Avenue and to the west of the southern half of the application site.

3 RELEVANT HISTORY

BH2007/01762, 52 Ainsworth Avenue. Rear deck terrace/garden access (Resubmission of BH2007/00865). Refused, 28/06/2007.

BH2005/01873/FP, 52 Ainsworth Avenue. Rear ground floor extension. Approved, 31/08/2005.

BH2004/02872/OA, 52 Ainsworth Avenue. Outline application for a new dwelling house. (Resubmission of BH2004/02683/OA which was withdrawn 21/09/2004. Delegated refusal decision, 08/11/2004. Appeal dismissed, 07/09/2005.

BH2002/02336/FP, 52 Ainsworth Avenue. Erection of 2 storey rear extension with pitched roof and dormer over together with rear veranda. Refused, 06/12/2002.

4 THE APPLICATION

Planning permission is sought for the extension of the building at first floor level including a front dormer and new gable end projection, rear Juliet balconies and the creation of windows on both side elevations. The building would adopt a part-pitched and part-flat roof form, with hipped barn ends.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Six (6)** letters of representation have been received from **37, 41, 43, 46, 54 Ainsworth Avenue** and **9 Longhill Road** supporting the application for the following reasons:

- The proposal in providing additional accommodation helps to address the housing shortage which exists in the city.
- The proposal will have no significantly negative impact on neighbouring amenity.
- The design proposed is appropriate and in-keeping with the street scene.

5.2 **One (1)** letter of representation has been received from **55 Ainsworth Avenue** objecting to the application for the following reasons:

- The design proposed is bulky in appearance and would be detrimental to the street scene and visual amenity of Ainsworth Avenue.

Internal:

5.3 No comments.

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:

- Brighton & Hove Local Plan 2005 (saved policies post 2007);

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 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.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 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
SU13	Minimisation and re-use of construction industry waste
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity

Supplementary Planning Documents:

SPD12	Design guide for extensions and alterations
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Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed development on the character and appearance of the host property, the street scene and the surrounding area, as well as any effect upon the residential amenity of neighbouring occupiers.

Planning Policy:

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 Policy QD27 of the Brighton & Hove Local Plan 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.

Design and Appearance:

- 8.5 The application property is a modestly sized three bedroom detached bungalow which is of traditional character. The building features a hipped roof form with twin front gable projections and a side dormer to the west elevation. The property is set well back from the highway, with a landscaped front driveway and garden.
- 8.6 At the rear of the property, a flat roofed extension has been constructed at ground floor level. This existing extension spans across the full width of the building, adding an additional 3.2m to the length of the property from its original form. This addition to the property was granted in 2005 under application BH2005/01837/FP.
- 8.7 The site slopes gradually down to the south, with the far end of the garden consequently being at a considerably lower level than the rear elevation of the property. The gradient of the land has been utilised to accommodate storage space underneath the living accommodation at the rear of the property. Access to the rear garden from the dwelling is subsequently provided by a narrow section of decking and an associated stairway. A further expanse of decking at a lower level is in place directly to the rear of the property.
- 8.8 The application property stands as one of a pair along with no.54 Ainsworth Avenue, which originally would have been built to a matching design. No.54 has also been extended to the rear, with the original unity of the two neighbouring

properties no longer existing at the rear. Symmetry has been retained between the two properties in respect of the front elevations.

- 8.9 Ainsworth Avenue is a long residential street which varies considerably in character at different points along its length. The section of Ainsworth Avenue in which the application site is located is characterised by dwellings which are positioned in spacious plots, set well back from the road. Front boundary walls are generally low with landscaping and driveways behind. This provides an open and traditional character. Properties vary in style and design with shared attributes such as prominent roof pitches and generous spacing between properties providing a level of cohesion on the street.
- 8.10 The immediately adjacent properties on the south side of Ainsworth Avenue are of a bungalow style, modest in scale. There are some examples of two storey dwellings along Ainsworth Avenue, however, this particular section is predominantly bungalows. Dwellings on the south side of Ainsworth Avenue are typically built on a ground level below that of the highway, as the gradient of the land slopes across the area down to the south. This change in land levels provides a greater emphasis on the roof form and shape of the properties sited on the southern side of the street,
- 8.11 The proposal would dramatically alter the character and appearance of the property, resulting in a far more substantial and prominent building on the street scene. The loss of the shared design and form of nos.52 and 54 as a pair would not necessarily result in material harm to the street scene. However, the proposed extensions would introduce a more bulky appearance to the property which is out of scale with the pattern of surrounding development.
- 8.12 Directly to the east and west of the site are bungalow style dwellings with a hipped roof form which provide the majority of their accommodation space at ground floor level. No.52 stands within a wider group on the south side of Ainsworth Avenue occupied primarily by dwellings of this nature. It is these properties which the application property is read in direct conjunction with on the street scene.
- 8.13 The proposed increase in size to the building is confined within the existing footprint. The additional rooms provided are all at first floor level, with the roof of the property restructured to accommodate the increased bulk and mass. Consideration has been taken for the design to respect the existing ridge height, with the result being that the building would not surpass the height of the existing ridge.
- 8.14 The visual impact of the proposed changes to the building is most apparent in respect to the bulk added along the length of property. The existing hipped roof is replaced with roof pitches to each side of the building and a flat roof above. This roof form is incongruent to the street scene and particularly at odds with the neighbouring dwellings to either side. In longer views of the street scene from the east and west, the true bulk of the building would be apparent, and evidently greater than the adjacent buildings.

- 8.15 The introduction of a gable projection and dormer at the front of the property further increases the bulk and mass of the building at first floor and roof level. While these features provide visual reference to the form of the adjacent dwelling of no.54, the focus of the building is raised to first floor level, rather than ground floor level as is principally the case with the other neighbouring properties on south side of the street.
- 8.16 The design proposed continues a visually prominent front roof pitch, an attribute shared with the neighbouring properties to either side. In observing the side elevations of the dwelling, however, the continuity of the building with its setting is not maintained. The existing hipped roof shape is lost, with a flat roof shape above a short roof pitch proposed. In this respect the dwelling suffers a loss of cohesion and acquires an uncomplimentary and non-harmonious shape.
- 8.17 It is considered that a combination of the incongruous part-pitched, part-flat roof form and the significant additional bulk and mass added to the property greatly increases the prominence of the property. This is proposed in a manner which would detract from the existing character of the property and break the continuity and harmony which exists to the street scene on the south side of Ainsworth Avenue.
- 8.18 Guidelines set out in SPD12 which relates to extensions and alterations set out that poorly designed or excessively bulky additions to a roof can harm the appearance of a property and the continuity of a street. Specifically of relevance the document states;
- 'This impact can also occur in street scenes containing varied building forms where the scale and bulk of roofs remains largely consistent.'*
- 8.19 The guidance further states:
- 'Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the street scene, including its topography.'*
- 8.21 In respect of this guidance, it is considered that the harmony and character of the street scene is not appropriately respected in the proposal. The scale, bulk and mass of the proposed building does not sit comfortably within its setting and would result in a property not in-keeping with the appearance of the direct street scene.
- 8.22 The rear is presently dominated by the existing flat roof extension, which obstructs views of the rear roof slope. This ground floor projection would remain a dominant feature at the rear, with the existing flat roof above unaffected. At first floor level two Juliet balconies set partly within the roof slope would be installed. The fenestration arrangement at ground floor level is in effect repeated at first floor level. It is considered that the Juliet balconies could be better incorporated. The balconies are overly wide for first floor level glazing, with the bi-folding door units not having a symmetrical glazing pattern.

- 8.23 Despite these details, the alterations at the rear cannot be considered to be significantly detrimental to the character of the building. The property as it stands has a disjointed appearance at the rear, dominated by the existing rear extension, which has broken the original form of the bungalow.
- 8.24 Overall, whilst it is accepted that there are some examples of larger two storey properties on Ainsworth Avenue, the proposed extensions by reason of form, detailing and bulk represent inappropriate additions to the property and wider street scene.

Impact on Amenity:

- 8.25 To the eastern side of the building additional bulk and mass would be added alongside the neighbouring property of no. 54. The existing spacing of approximately 3.5m would be retained between the application property and its neighbour to this side. Ground floor side windows and a partially glazed door are found at the neighbouring property of no. 54 which face towards the application property. A side dormer window at the equivalent of first floor level also faces towards the site. The proposed alterations would not have a significant impact upon the openings at the ground floor level at no. 54, which do not provide the principal outlook from any habitable room.
- 8.26 At first floor level, a greater impact could potentially occur to the window within the side dormer. This window serves a staircase/landing area. The main room at this level is served by a separate south facing window which is unaffected by the proposed development. Since the window serves a non habitable room, no impact on this window has been identified.
- 8.27 To the west of the site the driveway to no.50 provides a gap between the host property and no.48 and it is considered that any negative impact would be minimal given the spacing between properties and the orientation of the buildings. The secondary nature of the neighbouring properties side windows also ensures that the relationship proposed would not cause significant harm to the amenity of the neighbouring occupants.
- 8.28 At the rear, improved views would be possible to the south from the new fenestration created at first floor level. Thick vegetation around the perimeter of the rear garden would help to restrict views to neighbouring gardens. The garden space at the rear of no.54, (to the east of the site), would be in closest proximity to the first floor windows created. The form of no.54, which has a sizable flat roof extension, along with the boundary treatment in place, would obstruct views to the garden space directly at the rear of this neighbouring property. It is considered that the rear fenestration would not facilitate direct or harmful overlooking of the garden space at no.54.
- 8.29 The new proposed front and side windows cause no potential concerns for residential amenity. The two proposed side windows would be formed at a high level and obscure glazed. No harmful overlooking would be possible from these windows.

- 8.30 It is considered that the proposed development would not result in any significant harm being caused to the residential amenity of neighbouring occupants.

9 CONCLUSION

- 9.1 The proposed enlargement of the building, creating a much increased first floor level and reformed roof would dramatically change the visual appearance of the property. The additional bulk and mass as well as the uncomplimentary design proposed results in a building which would not sit comfortably within its setting. The proposed development cannot be considered in-keeping with the appearance of the direct street scene, breaking the continuity and harmony which presently exists on the south side of Ainsworth Avenue. The part-pitched, part-flat roof form is incongruous to the setting and detracts from the existing character of the property and its surroundings.

10 EQUALITIES

None

11 REASON FOR REFUSAL / INFORMATIVES

Reason for Refusal:

- The proposed development by virtue of its uncomplimentary design, increased bulk, massing at first floor level and incongruous roof form would result in a building not in-keeping with surrounding development. The development would break the existing continuity and harmony of the setting and be detrimental to both the visual amenity of the street scene and the existing character of the host property. The application is contrary to policy QD14 of the Brighton & Hove Local Plan 2005 and Supplementary Planning Guidance Document 12 – ‘*Design guide for extensions and alterations*’.

Informatives:

- In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) 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.
- This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Existing floor, location & block plans	0240.EXG.001	B	13/06/2013
Existing section & elevations	0240.EXG.002	A	13/06/2013
Proposed floor plans	0240.PL.001	A	13/06/2013
Proposed section & elevations	0240.PL.002		13/06/2013
Design and Access Statement			