

ITEM F

12 Court Ord Road, Rottingdean

BH2013/02368

Householder Planning Consent

09 OCTOBER 2013

BH2013-02368 12 Court Ord Road, Rottingdean



LOCATION PLAN 1:1250 @ A1

<u>No:</u>	BH2013/02368	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	12 Court Ord Road Rottingdean		
<u>Proposal:</u>	Erection of extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch - Juliet balcony to rear and dormers to south west and north east elevations.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	15/07/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 September 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	3eleven design, 47 Brighton Belle 2 Stroudley Road Brighton BN1 4ZB		
<u>Applicant:</u>	Mr Paul Daniels, 12 Court Ord Road Rottingdean Brighton BN2 7FD		

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the north side of Court Ord Road at its western end. The area is residential in nature and is characterised by detached and semi-detached bungalows on regular sized plots. The property on the application site is a detached bungalow with dormer windows within the hipped roof, and an existing flat-roofed rear extension. The front garden is laid out for parking and there is a shared drive with No.10 that leads to a pair of garages. To the rear, No.2 Eley Crescent has a large two-storey and single storey flat roofed extension.

3 RELEVANT HISTORY

12 Court Ord Road

BH2013/00874 - Erection of extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations. Refused 10/05/2013.

There were two reasons for refusal which stated:

1. The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which is unsympathetic to the design of the existing modest chalet bungalow and as a result would be of detriment to the visual amenities of the parent property and the wider area. The proposal is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan.
2. The roof terrace at first floor level would cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2000/02477/FP - Construction of front and rear roof dormers, (amendment to previously refused application no BH2000/01927/FP). Approved 23/10/2000.

BH2000/01927/FP - Front and rear roof extension with gable end with Sussex barn end. Withdrawn 12.09.2000.

BH2000/01428/FP - Enlargement of roof to form, Half hipped gable ends and construction of dormers to front and rear. Refused 06/07/2000.

2 Eley Crescent

BH2005/02184/CL - Certificate of Lawfulness for proposed roof conversion with rear dormer and half gable end and detached garage in rear. Approved 02/09/2005.

BH2002/02353/FP - Extension to form en-suite disabled unit. Approved 09/10/2002.

BH2001/01282/FP - Erection of single storey rear extension and rear roof dormer. Approved 06/08/2001.

4 THE APPLICATION

- 4.1 Planning permission is sought for extensions to the front and the rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations.

5 PUBLICITY & CONSULTATIONS

External

Neighbours:

- 5.1 7 letters of representation have been received from **8, 10(x2), 31, 33(x2)** and **37 Court Ord Road** supporting the application for the following reasons:
 - Would not detract from the general appearance of the road.
 - Very much less appropriate buildings have gone up or are going up in the area.

- See no sensible reason why this extension should not go ahead.
- The proposal would not appear to affect nearby properties.
- The reasonable extension is much needed by a growing family who need to stay in the area for schooling reasons.

5.2 1 letter of representation has been received from **14 Court Ord Road** commenting on the application with the following points:

- This proposal shows improvements in terms of appearance and size.
- Plans incorrectly show 'assumed drainage' as the drainage actually joins No.14 Court Ord Road.
- It is only appropriate and proportionate for No.12 Court Ord Road to provide for its own independent drain before starting to extend.
- With assurances that consent for the extensions of No.12 will be subject to acceptable plans being submitted for separate drainage, they are prepared to forgo the previous views on the size and keeping of No. 12's proposal for substantial alterations to the appearance of Court Ord Road.

Internal:

None received.

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:

- QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Documents:

- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the design of the proposals, the impact of the development on the appearance of the recipient property and wider area and the impact of the development on the amenities of neighbouring residents.

Planning Policies:

- 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:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - 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
 - 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 SPD12 states that front extensions should respect the building line of the street and should normally be of a subservient scale that does not dominate the building. The design, detailing, windows and materials of all front extensions should normally match exactly that of the main building to ensure a continuity of appearance and to avoid harm to the general street scene.

- 8.5 Furthermore, not all roof spaces are suitable for extension/alteration to provide additional accommodation. For example, the scale of extensions required to enlarge a roof with a shallow or limited roof pitch may add significant and visually harmful bulk to the building and wider street scene.
- 8.6 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.
- 8.7 This application is a resubmission of application BH2013/00874 for the erection of an extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations. The application was refused under delegated powers on the 10th May 2013 for the following two reasons:
- 8.8 ‘The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which is unsympathetic to the design of the existing modest chalet bungalow and as a result would be of detriment to the visual amenities of the parent property and the wider area. The proposal is therefore contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan.’
- 8.9 ‘The roof terrace at first floor level would cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.’
- 8.10 Refused application BH2013/00874 is a material consideration in the determination of this application and significant weight should be attached to it. One material change from the previous application is that the Council has adopted Supplementary Planning Document 12: Design Guide for Extensions and Alterations, which has replaced SPGBH1.
- 8.11 This revised application has removed the roof terrace from the proposal. The size and design of the front, rear and side dormer window additions remain the same as the previous refused application. Within this proposal, the dormer windows are now shown to be brick rather than render.

Design and Character:

- 8.12 The proposal seeks permission for a two-storey front extension and a part first floor and part two-storey rear extension, in addition to two new dormer windows on either side. The existing bungalow is modest in size and has a traditional front projection and an existing large rear extension. The bungalow has a low profile within the street scene due to the modest size and roof design. The property is similar in design to the neighbouring properties on the northern side of Court Ord Road. Therefore any poorly designed or excessively bulky additions can have a significantly harmful impact on both the appearance of the property and the continuity of the streetscape.

- 8.13 The proposal involves significant alterations to the existing bungalow with front and rear additions at ground and first floor level, which are gabled. It is apparent that the aim of the extensions is to provide larger accommodation within the roof space. While the front and rear gabled projections extend only 1.85m and 1.7m respectively, there is a significant impact at first floor level due to the existing bungalow's pyramid style roof. The ridge lines of the additions run 5.7m at the front and 5.5m at the rear.
- 8.14 On detached properties such as this, a front extension should respect the building line of the street and should normally be of a subservient scale that does not dominate the building. The roof pitch of the extension should be at the same pitch as the original building so that the extension blends with the character of the building. In this instance, the proposed front extension is of a completely different design to that of the existing building and adds a significant amount of bulk at first floor level, which would be visually detrimental to the appearance of the host property and the character of the area. The proposed rear addition has a similar detrimental impact.
- 8.15 The proposed additions would be overly large and bulky, and would be out of keeping with the host building. The resultant size, scale, depth and bulk of the front and rear additions will be particularly visible when viewed from the east or west. Therefore, the front and rear additions are detrimental to the character and appearance of the host property and wider area, contrary to Policy QD14 and SPD12.
- 8.16 Guidance contained in SPD12 states that dormer windows should be kept as small as possible and clearly be subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. The supporting structure for the dormer window should be kept to a minimum as far as possible to avoid a heavy appearance and there should be no large areas of cladding either side of the window or below. In addition, dormer windows should normally align with the windows below.
- 8.17 In this instance, the two proposed dormer windows on the western and eastern elevations are poorly designed, overly large, bulky and would appear visually dominant. Furthermore, the dormer windows would not relate to the fenestration below and the change in some of the materials from the previous application is not considered to overcome the previous harm identified. Therefore, the proposed dormer windows would be detrimental to the character and appearance of the host property and wider area, contrary to Policy QD14 and SPD12.
- 8.18 Overall, the dwelling would be dominated by overly large, bulky and poorly designed extensions to the detriment of the character and appearance of the host dwelling and the wider area.

Amenity:

- 8.19 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.
- 8.20 The proposed extensions would not result in a loss of daylight/sunlight or outlook to neighbouring properties by reason of their siting and design in relation to the neighbours. The roof terrace on the previous application has been removed although the scheme as amended proposes a 'Juliet balcony' style rear doors and glazed balustrade. If permission, were being recommended, it would be necessary to place a condition on an approval to ensure that the flat roof was not used and that the glazed balustrade was implemented. While the proposal would increase overlooking to the rear, 2 Eley Crescent has a large flat roofed extension, which limits any overlooking. While there would be some overlooking into the neighbouring gardens of 10 and 14 Court Ord Road, this is not considered so detrimental to warrant the refusal of planning permission.
- 8.21 Therefore, the proposal is acceptable in regard to neighbouring amenity and is in accordance with Policy QD27 of the Brighton & Hove Local Plan.

Other Considerations:

- 8.22 The representation from 14 Court Ord Road stated that it is only appropriate and proportionate for No.12 Court Ord Road to provide for its own independent drain before starting to extend. This would be dealt with under Building Regulations and is not a planning consideration.

9 CONCLUSION

- 9.1 The proposed development fails to accord with policies of the Brighton & Hove Local Plan and the recently adopted SPD12, as the extensions, by virtue of their design, size, form and massing would result in a visually intrusive and bulky additions to the property, which are unsympathetic to the design of the existing modest bungalow and as a result would be detrimental to the visual amenities of the parent property and the wider area.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

Reason for Refusal:

1. The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which would be unsympathetic to the design of the existing modest chalet bungalow and as a result would be of detriment to the visual amenities of the parent property and the wider area. The proposal is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

Informatives:

1. 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.
2. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Existing Ground Floor, Location and Block Plans	148COR12/01		15.07.2013
Existing First Floor and Roof Plans	148COR12/02		15.07.2013
Existing Front and Rear Elevations	148COR12/03		15.07.2013
Existing Side Elevations and Sections	148COR12/04		15.07.2013
Proposed Ground Floor, Location and Block Plans	148COR12/05	A	15.07.2013
Proposed First Floor and roof Plans	148COR12/06	A	15.07.2013
Proposed Front and Rear Elevations	148COR12/07	A	15.07.2013
Proposed Side Elevations	148COR12/08		15.07.2013
Existing Ground Floor, Location and Block Plans	148COR12/01		15.07.2013
Existing First Floor and Roof Plans	148COR12/02		15.07.2013
Existing Front and Rear Elevations	148COR12/03		15.07.2013