

# **ITEM C**

**16 Waldegrave Road, Brighton**

**BH2013/03886**

**Householder planning consent**

**19 FEBRUARY 2014**

BH2013/03886 16 Waldegrave Road, Brighton.



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/03886</b>	<b><u>Ward:</u></b>	<b>PRESTON PARK</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>16 Waldegrave Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of a single storey rear infill extension.</b>		
<b><u>Officer:</u></b>	Wayne Nee Tel 292132	<b><u>Valid Date:</u></b>	25 November 2013
<b><u>Con Area:</u></b>	Preston Park	<b><u>Expiry Date:</u></b>	20 January 2014
<b><u>Listed Building Grade:</u></b>	n/a		
<b><u>Agent:</u></b>	Mel Humphrey, 39 Northease Drive, Hove BN3 8PQ		
<b><u>Applicant:</u></b>	J & C Holden, 16 Waldegrave Road, Brighton BN1 6GE		

## 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 reasons set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a two storey semi-detached single dwelling house located on the eastern side of Waldegrave Road. The property has a staggered rear elevation with a two storey outrigger. There is an existing lean-to on the rear wall of the outrigger.
- 2.2 The street is characterised by long lines of similarly/identically designed dwellings with regular spacing and uniform building line.

## 3 RELEVANT HISTORY

**64/2642** Conversion into 2 self contained flats – Granted 05/01/65

### Recent neighbouring developments

**BH2013/04169** (25 Waldegrave Road) Erection of single storey rear extension – Refused 03/02/2014

**BH2013/02084** (50 Waldegrave Road) Erection of single storey side and rear extension, and loft conversion incorporating rear dormer and rooflight to front (Part-Retrospective) – Refused 21/08/2013 (Appeal allowed 05/12/13)

**BH2013/01444** (12 Waldegrave Road) Erection of a single storey rear extension with associated alterations – Approved 15/07/2013

**BH2012/03445** (58 Waldegrave Road) Erection of single storey rear and side extension incorporating 3 no rooflights and bi-folding doors to the rear to provide access to the garden – Refused 20/12/2012 (Appeal allowed 09/04/13)

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the erection of a single storey side and rear infill extension. The extension would infill the rear lightwell of the property and would extend beyond the rear outrigger of the property by the same depth as the existing lean-to addition. The roof would be pitched with a slate roof on the east (rear) roof slope and a mostly glazed roof on the south elevation facing the boundary of no. 14 Waldegrave Road. The extension walls would be rendered, with high level glazing on the south elevation and rear glazed doors on the east elevation.
- 4.2 During the application, the proposal was amended with a reduction in the steepness of the pitch of the roof resulting in a lower roof ridge height, glazing proposed on the side elevation roof and high level glazing on the side wall.

#### **5 PUBLICITY & CONSULTATIONS**

##### **External**

- 5.1 **Neighbours: Seven (7)** letters of representation have been received from **10, 12, 18, 21, 22, 25 Waldegrave Road and 19 Hurston Close**, supporting the application for the following reasons:
- Provides invaluable family living space;
  - Would encourage owners to improve their properties;
  - Similar extensions have been built in the area;
  - Sustainable development;
- 5.2 **One (1)** letter of representation has been received from **23 Waldegrave Road**, objecting to the application for the following reasons:
- Extension is not in keeping with the character of the area;
  - Overbearing nature of many properties removing part of their rear gardens;
  - Would lead to a terracing effect;
  - Disturbance and disruption from building works.

#### **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;

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- 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) is a material consideration.
- 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:

QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas

##### 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 this application are whether the proposal is acceptable in terms of its design and appearance in relation to the recipient building and surrounding area; and in particular whether the proposed development would preserve or enhance the character of the Conservation Area and whether the proposal is appropriate in terms of its impact on the amenity of nearby neighbouring properties.

#### **Design and Appearance:**

- 8.2 Policy HE6 of the Brighton & Hove Local Plan states that development within or affecting the setting of Conservation Areas should preserve or enhance the character or appearance of the area.
- 8.3 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including

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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.

- 8.4 SPD12: Design Guide for Extensions and Alterations states that infill extensions should not normally extend beyond the rear wall of the outrigger or wrap around to the rear elevation in order to preserve the original plan of the building.
- 8.5 The proposed single storey extension would extend beyond the side and rear wall of the original building, wrapping around the two storey outrigger. It is considered that the proposed extension would poorly relate to the original form of the rear of the house. By extending beyond the original rear wall of the outrigger and wrapping around the building it would not respect the building's character. The proposed bi-folding doors spanning the width of the rear of the property add to the unsympathetic nature of the development. The proposed glazing on the side roof and wall is considered to be a contrived design in order to reduce the impact on the adjoining neighboring property. The glazing would not relate well to the rest of the extension design and therefore the side elevation would have an incongruous appearance.
- 8.6 The proposed extension would therefore form an inappropriate and incongruous addition which would result in material harm to the appearance and original character of the rear elevation of the existing property.
- 8.7 A recent planning application at no.58 Waldegrave Road (BH2012/03445) for an infill extension was allowed at appeal. However this appeal was decided before the adoption of SPD12, and the Inspector stated that the extension has been designed to respect the appearance of the existing building. The SPD provides specific advice on extensions, which the proposed scheme contravenes. Moreover, the side glazing is considered inappropriate.
- 8.8 Overall the awkwardly designed proposal would be detrimental to the character and appearance of both the existing property and the surrounding Preston Park Conservation Area. The proposal is thereby considered contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

### **Impact on Amenity:**

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- 8.9 Policy QD14 of the Brighton & Hove Local Plan states that planning permission will only be granted if the proposed development would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties. 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.
- 8.10 The neighbouring properties most likely to be affected by the proposal are the two adjacent properties either side (nos. 14 and 18 Waldegrave Road).
- 8.11 With a rearwards projection similar to the existing lean-to in a position adjacent to the boundary with No 18 Waldegrave Road to the north, and having regard to the height and design of the extension, it is considered that the proposed development would have no adverse effects on the amenities of the occupants of that property.
- 8.12 The proposed extension would be sited close to the side boundary of the neighbouring property to the south (no. 14 Waldegrave Road). This property has a land level drop in relation to the application site by approximately 0.9m.
- 8.13 The ground floor of this neighbouring property has a dining room rear window, as well as two side elevation kitchen windows that face into the lightwell. The proposed extension would be sited approximately 0.8m from the boundary. However the extension would have a 6m depth running alongside the boundary close to the neighbouring lightwell. The eaves of the extension would be 1.5m higher than the boundary.
- 8.14 Due to the height and projection of extension, coupled with the considerable difference in land levels, it is considered that despite the extension being set away from the boundary, the proposal would still have a harmful impact upon No. 14 in terms of an overbearing impact, loss of outlook and an increased sense of enclosure. It is considered that the addition of glazing to the side of the extension would provide little relief from the overall solid appearance of the extension.
- 8.15 The scheme is therefore considered contrary to policies QD14 and QD27.

## **9 CONCLUSION**

- 9.1 The application is recommended for refusal given the inappropriate design and resulting impact on neighbouring amenity.

## **10 EQUALITIES**

10.1 None identified

## 11 REASON FOR REFUSAL / INFORMATIVES

### 11.1 Reasons for Refusal:

1. The proposed rear infill extension would wrap around the original rear wall of the outrigger forming an inappropriate addition which would be to the detriment of the character and appearance of the rear elevation and original plan form of the existing property. Furthermore the design would cause material harm to the surrounding Preston Park Conservation Area. The proposal would therefore be contrary to policies HE6, QD2 and QD14 of the Brighton & Hove Local Plan.
  
2. The proposed rear infill extension, by virtue of its depth in close proximity to the site boundary as well as its height, would result in an un-neighbourly form of development that would have an overbearing impact on the residents of the neighbouring property at no. 14 Waldegrave Road to the detriment of residential amenity. The scheme is therefore contrary to policies QD14 and QD27.

### 11.2 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	n/a		15 November 2013
Proposed	n/a		13 January 2014