

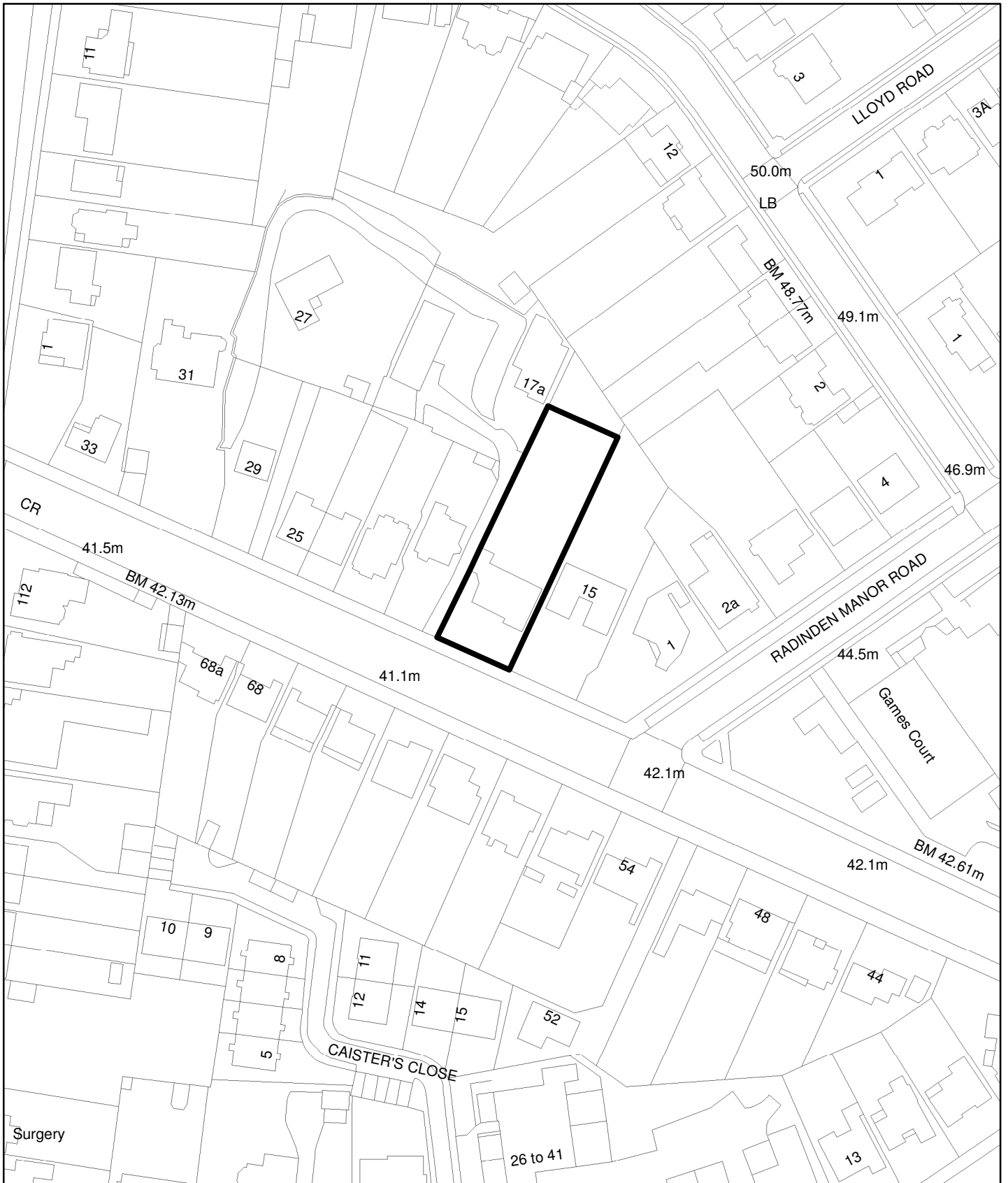
ITEM E

17 Old Shoreham Road, Hove

BH2014/00433
Full planning

23 APRIL 2014

BH2014/00433 17 Old Shoreham Road, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANNING COMMITTEE LIST- 23 APRIL 2014

<u>No:</u>	BH2014/00433	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	17 Old Shoreham Road Hove		
<u>Proposal:</u>	Erection of single storey rear extension with associated landscaping and parking alterations.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	10 February 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	07 April 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	DK Architects, 9 Hove Park Villas, Hove, BN3 6HP		
<u>Applicant:</u>	Peter Mallinson, 17 Old Shoreham Road, Hove, BN3 6NR		

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 site relates to a two-storey detached building located on the north side of Old Shoreham Road, Hove. The building is known as Loxwood House and is used as a care home for people with dementia. The care home is currently registered for up to 12 residents. The building is traditional in appearance with a brick and render appearance and timber casement windows. The house has been extended to the rear including a large roof extension to allow accommodation in the roof space and a two-storey flat roof extension adjacent the western boundary. There is also a metal staircase to the rear which allows emergency access from the top floor roof extension.
- 2.2 The site includes a number of trees to the front and rear garden. The rear garden slopes up from the rear of the building. The surrounding area is comprised of detached dwellinghouses.

3 RELEVANT HISTORY

- BH2013/03800:** Erection of single storey rear extension with associated landscaping and parking alterations. Withdrawn 7th January 2014.
- 3/90/0481:** Use of existing owner's accommodation to increase number of residents from 9 to 12 and alterations to existing fire escape. Approved 1990.
- 3/88/0237:** Extension to roof space, including fire escape to form owner's accommodation and alterations to increase number of residents from 6 to 9. Approved 1988.
- 3/87/0653:** Extension to roof space, including fire escape to form owner's accommodation and alterations to increase number of residents from 6 to 9. Approved 1987.
- 3/85/0211:** Change of use of single dwellinghouse to home for the care and supervision of six mentally handicapped adults. Approved 1985.

4 THE APPLICATION

- 4.1 Planning permission is sought for the construction of an extension to the rear of the property. The extension would increase the capacity of the care home by adding 8 en-suite bedrooms. The extension is 'L' shaped and includes a central landscaped area. The extension is single-storey with a pitched roof. The scheme retains the existing external staircase and two-storey extension on site. The scheme includes a new parking space to the front of the building.
- 4.2 The following letters of support have been submitted with the scheme:
- Adult Social Care & Health.
 - Professor Martin Green, Independent Sector Dementia Champion.
 - Director of Loxwood House.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from the occupiers of **15 & 19 Old Shoreham Road** objecting to the application for the following reasons:
- This application is the same as the previous scheme. The access width is limited and cannot take the weight of construction traffic. Access to the extension would be to the detriment of adjacent properties.
 - The proposed use is not suitable for this residential area. The proposal is for commercial gain and will change the private nature of the area.
 - The current building could be easily converted back to a single dwellinghouse if necessary. The scale and design of the current proposal would mean that the residential institution could not be easily converted back to a dwelling.
 - The size of the proposal is extremely large and overpowering. The footprint of the existing house is 170sqm and the footprint of the proposed extension is 240sqm. This is an inappropriate increase in size and 2.4 times the size of the original footprint. The appearance of the extension is also inappropriate for the context of the building.
 - The development would lead to the loss of garden space which results in the loss of amenity space for future occupiers.
 - The scheme results in overshadowing and overlooking of adjacent properties. The extension is within two metres of the common boundary and would affect a neighbouring kitchen and other rooms. The extension would also overshadow a neighbouring garden. The proposed extension would increase the number of people able to overlook through the boundary wall into the neighbouring property.
 - The nature of the disabilities of some of the residents means that they are less aware of privacy. In the past, especially during the summer, there are repetitive interruptions to the neighbours.
 - The further increase in numbers of residents would further impact on neighbour's privacy. The scheme would result in an increase in noise disturbance and light pollution from the site.
 - The scheme would undermine the boundary trees. Cutting back boundary trees would undermine privacy and quality of life for neighbouring properties.

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- The increase in residents would reduce the safety of pedestrians and vehicular access to the adjoining properties. Currently taxis and mini buses frequently park on the double yellow lines and on the cycle lane outside Loxwood House to collect and drop off residents. During these times the new cycle lane is blocked and any vehicle access to adjacent properties is compromised.

5.2 **Councillors Jayne Bennett & Vanessa Brown** support the scheme (letter attached)

5.3 **Southern Gas Networks:** No objection. Records indicate that gas pipes owned by Southern Gas Networks may be present in this area and information regarding such pipes should be obtained from the owners in order to prevent damage.

5.4 **Southern Water:** No objection. A formal application for a new connection to the foul and water surface sewer is required to be made by the applicant.

5.5 **UK Power Networks:** No objection.

Internal

5.6 **Adult Social Care & Health:** Support. The commissioning partnership supports the development of care homes in the city for people with dementia. The development of care homes with nursing providing care within the Council's set rates is specifically welcomed.

5.7 **Arboricultural Section:** No objection subject to suitable conditions being attached to any planning consent regarding the protection and retention of trees, shrubs and hedges growing on or adjacent the site.

5.8 **Environmental Health:** No comment

5.9 **Sustainable Transport:** No objection subject to a condition requiring details of cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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);

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- 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) 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:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO11	Residential care and nursing homes

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design
SPD12	Design Guide for Extensions and Alterations

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 principle of additional residential care facilities, the design and appearance of the proposed development, impact on residential amenity, transport and highway concerns, impact on trees and sustainability.

Principle of Proposal:

- 8.2 Policy HO11 states that planning permission to existing residential care and nursing homes will be granted where it can be demonstrated that the proposals:
- a. will not adversely effect the locality or neighbouring properties by way of noise or disturbance; or by way of size, bulk or overlooking;
 - b. provides adequate amenity space (a minimum depth of 10m and not less than 25 square metres per resident – although a lower standard may apply for nursing homes where residents are less mobile);
 - c. is accessible to people with disabilities; and
 - d. provides for operational parking in accordance with the Council's standards.
- 8.3 The design and potential impact on amenity is discussed below.
- 8.4 In respect of criterion (b), the scheme would result in additional accommodation for 8 residents. The property currently has a substantial rear garden which would be greatly reduced in size if this scheme were approved. The proposed amenity space would have a minimum depth of 10m but would not allow 25 square metres per resident as outlined in criterion (b). However, policy HO11 does allow a lower standard if residents are less mobile. Given the care facilities provided at the property this level of amenity space is considered appropriate in this instance. The proposal would therefore be in accordance with this criterion.
- 8.5 As the proposal would not generate a significant demand for operational parking and is accessible for people with disabilities, the scheme is in accordance with criteria (c) and (d) of the policy.

Design:

- 8.1 Policies QD1 & QD2 of the Brighton & Hove Local Plan states that all proposals must demonstrate a high standard of design and make a positive contribution to the visual quality of the surrounding area.
- 8.2 Policy QD14 states that planning permission for extensions to alterations to existing building, 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. SPD12 further reiterates the importance of well designed extensions.
- 8.3 Planning permission is sought for a significant extension to the building to allow additional accommodation for the care home. The extension would be single-storey and would add an additional 24m in length to the rear of the building. The extension includes a pitched roof and is 'L' shaped. The extension would

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be wider at its end with a square area measuring 14m x 11.2m. The extension has an overall height of 4.6m.

- 8.4 The extension would house 8 bedrooms, each with an ensuite bathroom and a separate disabled shower room. The extension would surround a new landscaped area. Given the topography of the site, the scheme would require the partial digging out of the garden to allow for the proposed development. The extension is proposed with a render and brick finish, grey aluminium framed windows and doors and concrete tiles.
- 8.5 In respect of design, the extension is deemed excessive in size. The existing building has a length of 10m (when measured centrally) and the resulting extension would add an additional 24m in length. This is more than twice the length of the existing building. The scheme would also more than double the existing ground floor space. Whilst the extension would not be visible from the street scene, the extension due to its size would significantly detract from the character and appearance of the host property and surrounding area and is considered contrary to the advice contained in SPD12.
- 8.6 The existing building has been extensively extended over time. However, the building has retained the appearance of a dwellinghouse. The proposed extension would dominate the rear garden and would not be a sympathetic or subordinate addition to the main building. The elongated appearance of the extension would comprehensively jar with the appearance of the host building and would form an inappropriate and incongruous addition.
- 8.7 The surrounding area predominately comprises detached dwellinghouses with large rear gardens. The proposed extension would occupy a large area of the rear garden of Loxwood House which would be out of character with the residential built form of the area and the relationship between the built form and garden space that characterises the surrounding area.
- 8.8 Given the excessive scale of the proposed extension, the proposal would significantly detract from the character and appearance of the host property and would appear as an inappropriate and unsympathetic addition. It is also felt that the coverage of the plot is disproportionate to the building and surrounding area and the proposal is considered an overdevelopment of the site. The proposal is therefore contrary to the policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and SP12.

Impact on Amenity:

- 8.9 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 proposal would most affect the immediate adjacent properties to the east and west. Due to the positioning and topography of the site, the proposal would

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not significantly affect the amenity of any immediate properties to the north and south of the application site.

- 8.11 Turning to the immediate property to the west, no. 19 Old Shoreham Road, this property is a single dwellinghouse. No.19 is separated from the application site by a narrow driveway which allows access to properties to the rear. The driveway is 2.5m wide. The scheme indicates that this driveway would be used to access the rear of the site during construction works. If recommended for approval, the onus would be on the applicant to arrange the use of this private driveway.
- 8.12 As stated, the extension would be 'L' shaped. The main bulk of the extension would be adjacent the eastern side of garden. There are also a number of trees along the boundary with no.19 which are indicated to be retained with the extension in place. Given the orientation of the extension and the gap between no.17 & 19, the scheme would not result in a significant impact on the amenity of the occupiers of no.19 Old Shoreham Road.
- 8.13 In respect of the immediate property to the east, no.15 Old Shoreham Road, the proposed extension would project in close proximity to the joint boundary. No.15 is also a dwellinghouse and includes 2 side windows and 3 glazed doors facing the common boundary with no.19. The boundary wall is approximately 2m high and includes two rows of breeze blocks to its top level.
- 8.14 The proposed extension would be 1.1m from the boundary with no.15 Old Shoreham Road. The side facing windows at no.15 are also approximately 1m from the boundary wall. The proposed extension would have some impact on the side windows at no.15 which face west. However, it should be noted that the two windows which would be affected by the proposal serve a garage and a small utility room. These rooms are also served by two doors. The third door serves a kitchen which has rear facing windows. In this instance, the scheme would not directly affect windows which serve habitable rooms or, in the case of the kitchen, have additional windows in alternative elevations which are unaffected by the development.
- 8.15 The scheme would result in a bedroom and bathroom window directly opposite the side windows at no.15. The existing boundary wall would provide a screen to reduce the potential of overlooking and loss privacy between the facing windows between no.15 & 17. Although the breeze blocks would allow some views through the wall, as the blocks are not solid. To overcome this concern, if recommended for approval, a condition could be recommended requiring a screen to be attached to the relevant section of the boundary wall to cover the gaps created by the breeze blocks. Subject to this condition, the scheme would not result in a significant impact on the amenity of the adjacent side windows at no.15.
- 8.16 The extension would project into the rear garden by 24 metres in close proximity with boundary with 15 Old Shoreham Road. Whilst the extension is unlikely to have a detrimental impact on the side windows which front the application site in no.15, there are concerns regarding the excessive depth of

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the extension and the resulting impact through bulk and an increased sense of enclosure to the occupiers of no.15. It is considered that the extension would have an unneighbourly impact due to its excessive depth taking up much of the shared boundary between the two properties.

- 8.17 Concern has been raised about the potential disturbance caused by the increase in numbers of residents. Environmental Health has commented that there have been no noise complaints about the current use. Additionally, the proposed communal areas would remain in the main house and the new outdoor space proposed is mostly enclosed by the new extension. Having regard to the above, whilst the scheme would result in some increase in noise, it is felt that a reason for refusal on noise would be unjustified.

Sustainable Transport:

- 8.18 In accordance with policy TR1, any development should provide for the demand for travel it creates and maximise the use of public transport, walking and cycling.

- 8.19 The scheme does not alter the existing vehicular access to the site. The Highway Manager has commented that there is forecast to be an increase in trip generation as a result of this proposal. However, the applicant states that due to the condition of residents at the care home they are escorted at all times and use the facilities own adapted transport and therefore will not add to demand for public transport. The applicant therefore concludes that the increase in trips will not be significant. The Highway Manager agrees that the forecast increase in trip generation is not considered to cause a material highway impact or be considered a reason for refusal.

- 8.20 The maximum car parking standard in SPG04 for rest homes outside a CPZ is 1 space per 6 residents plus 1 car per residential staff, plus 1 car per two other staff. The applicant is proposing to increase the number of spaces from 3 to 4 spaces. This level of provision is still in line with the maximum car parking standards and is therefore considered acceptable.

- 8.21 The Highway Manager has commented that there is enough space on site to provide cycle parking provision required for this scheme. If recommended for approval, a condition could secure details.

Impact on Trees:

- 8.22 Policy QD16 of the Brighton & Hove Local Plan relates to the retention and protection of existing trees on site.

- 8.23 The Council's Arboriculturist has commented that the Arboricultural report carried out as part of this application is comprehensive and the Arboricultural Section is in full agreement with its contents. This drawing shows removal of further trees at the front of the property that are not mentioned within the Arboricultural report.

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- 8.24 Should this application be granted consent, eight trees will be removed from site (according to the Arboricultural report). These are 3 apples, an ornamental Lawsons Cypress, 1 Purple plum, 1 Silver Birch, a Lilac and an ornamental Willow. Of these trees, two apple trees are located in the front garden, one has extensive basal decay and one is a poor specimen, being one sided to the north. The remaining trees are all in the rear garden and have no public amenity value. None of these specimens are worthy of Preservation Order and the Arboricultural Section has not objected to their loss.
- 8.25 The Leyland Cypress in the neighbouring garden has already had the overhang removed. The Arboricultural Section does not object to this.
- 8.26 Overall, the Arboricultural Section has no objection to the proposals in this application, subject to a condition be attached to any consent granted regarding protection of the trees that are to remain post-development, thirteen in total. In addition, the proposed new parking area at the front of the property may be within the root protection zones of the Purple Plums in this vicinity. The construction of these parking areas should pay regard to the root systems of these trees if appropriate as they do have high public amenity value and are prominent on the street-scene.

Sustainability:

- 8.27 Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate a high level of efficiency in the use of water, energy and materials. If recommended for approval, a condition could be applied requiring the submission of sustainability measures to be submitted and agreed by the Local Planning Authority. This would also be in accordance with SPD 8 on Sustainable Building Design.

Other Considerations:

- 8.28 The scheme would provide 8 additional spaces for quality care provision for people with dementia. This provision is supported by the Council's Adult Social Care & Health Team. The addition of care homes spaces in the city is encouraged. However, the social benefits of the scheme do not outweigh the concern raised by the scale of the development and its impact on the appearance of the host property and the surrounding area and its impact on neighbouring properties.

9 CONCLUSION

- 9.1 Policy HO11 of the Brighton & Hove Local Plan states that extensions to care homes will be permitted subject to certain criteria. However, the social benefits of the scheme do not overcome the concerns regarding the scale of the development and its impact on the character and appearance of the host property and surrounding area and its impact on the amenity of neighbouring properties. The scheme is therefore deemed contrary to policies QD1, QD2, QD14, QD27 & HO11 of the Brighton & Hove Local Plan and SPD12: Design Guide for Extensions and Alterations.

10 EQUALITIES

10.1 The proposal would allow adequate access for the future and existing residents.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. Having regard to the excessive scale of the proposed extension in relation to the existing property and surrounding area, the proposal would significantly detract from the character and appearance of the host building and stand out as an inappropriate and unsympathetic addition. The coverage of the plot is disproportionate to the scale of the building and surrounding area and the proposal is considered overdevelopment of the site. The scheme is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.
2. Given the scale and projection of the proposed extension in close proximity to the boundary with 15 Old Shoreham Road, the proposal would result in an increased sense of enclosure and an unneighbourly form of development. The scheme therefore results in a loss amenity and is contrary to policies QD14, QD27 and HO11 of the Brighton & Hove Local Plan.

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
Site Plan			10 th February 2014
Block Plan			10 th February 2014
Site Plan, Survey as Existing	S1		10 th February 2014
Ground Floor & Basement Survey as Existing	S2		10 th February 2014
First Floor Plan Survey as Existing	S3		10 th February 2014
Second Floor Plan Survey as Existing	S4		10 th February 2014
Roof Plan Survey as Existing	S5		10 th February 2014
Front (South) Elevation Survey as Existing	S6		10 th February 2014
Rear (North) Elevation Survey as Existing	S7		10 th February 2014
Side (East) Elevation	S8		10 th February 2014

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Survey as Existing			
Side (West) Elevation Survey as Existing	S9		10 th February 2014
Side (East) Elevation Survey as Existing	S10		10 th February 2014
Site Plan as Proposed	P1		10 th February 2014
Ground Floor Plan as Proposed	P2		10 th February 2014
First Floor Plan as Proposed	P3		10 th February 2014
Second Floor Plan as Proposed	P4		10 th February 2014
Roof Plan as Proposed	P5		10 th February 2014
Front (South) Elevation	P6		10 th February 2014
Rear (North) Elevation as Proposed	P7		10 th February 2014
Side (East) Elevation as Proposed	P8		10 th February 2014
Side (west) Elevation as Proposed	P9		10 th February 2014
Side (East) Elevation as Proposed	P10		10 th February 2014
Side (West) Elevation as Proposed	P11		10 th February 2014
Section A-A as Proposed	P12		10 th February 2014
Section B-B as Proposed	P13		10 th February 2014

cc



Councillor Jayne Bennett
Councillor Vanessa Brown



Jason Hawkes
1st Floor
Hove Town Hall
Hove

Date: 24 February 2014
Our Ref: JB/GLW
Your Ref:

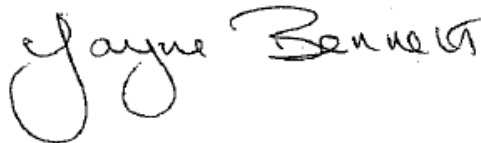
Ref application 2014/00433, Loxwood House, 17 Old Shoreham road, Hove

Dear Mr Hawkes

As ward councillors for Hove Park we wish to support this application. We have studied the plans and looked at the site, and it appears that the design makes best use of the site. We don't feel that there is too much bulk or massing to the extension and are pleased that it remains a single storey extension and the applicant appears to retain the trees around the borders of the property.

If the recommendation is to refuse, we wish for it to be decided by the planning committee and as ward councillors we would wish to speak at the meeting in support.

Yours sincerely



Councillor Jayne Bennett