

ITEM F

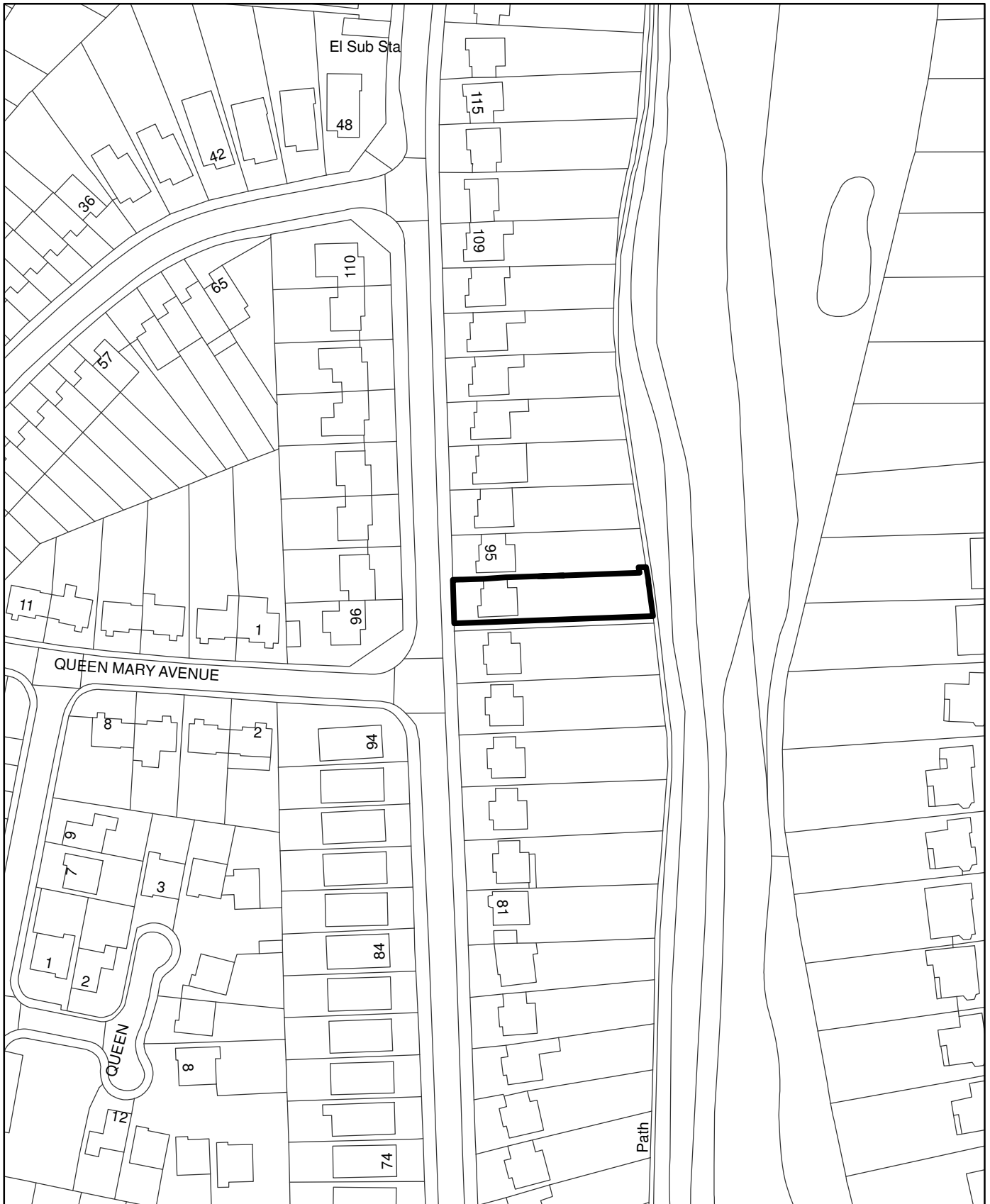
93 Woodland Avenue, Hove

BH2013/03815

Householder planning consent

16 JULY 2014

BH2013/03815 93 Woodland Avenue, Hove.



**Brighton & Hove
City Council**

N



Scale: 1:1,250

PLANNING COMMITTEE LIST- 16 JULY 2014

<u>No:</u>	BH2013/03815	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	93 Woodland Avenue Hove		
<u>Proposal:</u>	Erection of single storey side and rear extension and garden room with associated alterations.		
<u>Officer:</u>	Robin Hodgetts Tel 292366	<u>Valid Date:</u>	28 January 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	25 March 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Charles Mitten, 93 Woodland Avenue, Hove BN3 6BJ		

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 Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a two storey detached house located on the east side of Woodland Avenue, Hove. The property has an attached garage to the north and backs onto the Woodland Drive Conservation Area. There is a small, public footpath adjacent to the site to the south which accesses the undeveloped land to the rear of the site.
- 2.2 The eastern side of the road north of the site is characterised by a consistent design and appearance of the properties. The street scene to the south is similarly consistent but of a different design to the property which this application relates to.

3 RELEVANT HISTORY

None.

4 THE APPLICATION

- 4.1 Planning permission is sought for a number of alterations to the property:
- 4.2 An extension to the side and rear of the property consisting of an infill to the rear of the garage on the northern side of the property along with a full width rear extension. The side extension would sit behind the existing garage and have a flat roof to a height of 3.2m and be 2.4m wide being built up to, but not on, the boundary line with No.95. The rear aspect of the extension would have a flat roof and project 3m from the rear wall of the property. It would also be 3.2m high and

PLANNING COMMITTEE LIST- 16 JULY 2014

have a width of 8.9m. It would include windows to the south elevation, bi-folding doors and patio doors to the rear elevation and be finished in brickwork to match the existing dwelling. Initially this application was for a two storey side and rear extension of the same footprint but after negotiation this was amended to the current, single storey proposal.

- 4.3 An outbuilding positioned in the rear garden of the property adjacent to the boundary to the north. The outbuilding would measure 6.4m wide, 4.2m deep and has a ridge height of 3.6m. It would have an open-sided design with a roof supported by a rear wall and three pillars to the front.
- 4.4 A patio to the rear of the extension and steps down to the garden and proposed outbuilding.
- 4.5 Following discussions the scheme, which was originally proposed as a two-storey side and rear extension that would be built on the building line with No.95 to the north, was amended to a single-storey, built within the existing boundary wall with No.95 to the north. This was to address both concerns relating to the impact upon the amenity of neighbours and overhanging of the boundary line.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours:

Six (6) letters of representation have been received from the occupiers of **95, 97, 98 & 99 Woodland Avenue, 14 Hereford Court, 61 The Drive and 135 Goldstone Crescent** objecting to the application for the following reasons:

- Loss of light and overlooking
- Inaccuracies on the plans
- Party wall issues
- Encroachment of development onto neighbouring land
- Overdevelopment of the site and loss of rain water run off.
- Height of the development
- Impact on the character of the surrounding area / street scene

Following the receipt of amendments the scheme was re-advertised and a further **Two (2)** letters of representation were received from the occupiers of **95 (x2) & 98 Woodland Avenue** objecting to the application for the following reasons:

- Loss of light and overlooking
- Inaccuracies on the plans
- Party wall issues
- Encroachment of development onto neighbouring land
- Overdevelopment of the site and loss of rain water run off.
- Height of the development
- Impact on the character of the surrounding area / street scene

One (1) letter of comment has been received, subsequent to the amendment, from **91 Woodland Avenue** stating that the proposed windows in the side elevation would allow overlooking and should be obscure-glazed and fixed shut.

Internal:

- 5.2 **Councillors Brown & Bennett:** A letter of representation have been received from Councillors Bennett and Brown. A copy of the correspondence is attached.

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) 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:

- | | |
|------|----------------------------|
| 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 Matters relating to party wall and land ownership issues are not material planning considerations. The main considerations in the determination of this application relate to the impact of the proposed extensions on the appearance of the building and wider street scene and the amenities of adjacent residents.

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 states that planning permission for any development 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.

8.5 Supplementary Planning Document 12 Design Guide for Extensions and Alterations provides guidance on design principles for extensions and advises that extensions should not dominate or detract from the original building.

Design:

Side and Rear Extension

8.6 The building as existing forms a pitch roofed detached house on land to the east side of Woodland Avenue. A single garage is attached to the north side, recessed from the front of the building.

8.7 It is considered that the principle of extending the property to the side and rear is acceptable, subject to the design sitting sympathetically with the host building and wider street scene. The side aspect of the extension would sit behind the existing

PLANNING COMMITTEE LIST- 16 JULY 2014

garage and as such is considered to respect the original form of the building and results in an extension that is a subordinate addition to the house.

- 8.8 Although the additional height of the extension over that of the garage is not an ideal arrangement, it would be sufficiently set back from the front elevation of the property such that its impact upon the character of the host and wider street scene would not be significant. For these reasons the proposed extension is considered an acceptable addition to the building and street scene, in accordance with development plan policies.
- 8.9 There is an existing rear extension at 99 Woodland Drive, for which there is no planning history.
- 8.10 It is also noted that a similar scheme, although slightly less in terms of scale, was approved under application BH2013/00310 at 56 Woodland Avenue.

Outbuilding

- 8.11 The outbuilding is considered to be acceptable in regards to design, scale and materials; it is appropriately sited and would sit some 8m from the rear of the adjacent property at No.95 Woodland Avenue. There is existing 2m high fencing on the boundary and the only part of the proposal that would be visible from the rear garden of No.95 would be the pitched roof of the outbuilding.
- 8.12 Overall the proposed outbuilding would not have any significantly detrimental impact upon the appearance and character of the property, the wider surrounding area or the adjacent Woodland Drive Conservation Area.

Hardstand

- 8.13 The associated works to create a patio area at the rear of the extension and steps to the outbuilding are appropriate to the scale of the proposed development and would successfully link the outbuilding to the host building. A significant proportion of the rear garden would remain soft surfaced allowing rainwater drain off.

Impact on Amenity:

Side and Rear Extension

- 8.14 The proposal is not considered to have any negative impact on neighbouring properties.
- 8.15 The rear garden of the property is well sheltered from neighbouring views with a footpath to the south and open land to the rear. As such it is only the property to the north, No.95 which sits at a slightly higher land level, which may be affected by the development. Although the extension would be relatively substantial in size, it would be approximately 1m higher than the existing boundary fence to the north. Given this, it is not considered to cause significant harm to this property in terms of loss of light or overlooking. There is a window in the south elevation of No. 95 which may suffer some loss of light but this is not considered sufficiently harmful to refuse the application. Being built within the existing boundary wall and not replacing it would ensure that there is no overhanging the neighbouring property.

PLANNING COMMITTEE LIST- 16 JULY 2014

- 8.16 The side, south facing corridor to the rear extension would not result in overlooking of no. 91 because it is below the level of the timber boundary fence.
- 8.17 Considering the size of the plot, boundary treatment and land levels the proposal would not cause any significant harm to the neighbouring properties in regards to loss of privacy, overshadowing or loss of light towards or loss of outlook from them.

Outbuilding

- 8.18 The proposed outbuilding would not have any significant impact on neighbouring properties in regards to overshadowing or loss of light towards, or loss of outlook from, this property. The only part of the outbuilding that would be visible above the boundary screening would be the pitch roof which given its profile would not cause any significant loss of light or overshadowing.

Hardstand

- 8.19 The creation of the patio and steps to the rear of the extension would have no appreciable impact upon neighbouring amenity.

9 CONCLUSION

- 9.1 The proposed extension is of a suitable design that would not harm the appearance of the building or wider street scene, or harm the amenities of adjacent occupiers, in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / 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
Site location and block plan	WA-001		11/11/13
Existing floor plans	WA-002		11/11/13
Existing elevations	WA-003		11/11/13
Proposed block plan	WA-004	B	25/02/14
Proposed floor plan	WA-005	B	25/02/14
Proposed elevations	WA-006	B	25/02/14
Proposed garden room elevations	WA-007		11/11/13

PLANNING COMMITTEE LIST- 16 JULY 2014

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.

4) Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 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 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

(ii) for the following reasons:-

The proposed development is of a suitable design that would not harm the appearance of the building or wider street scene, or harm the amenities of adjacent occupiers, in accordance with development plan policies.

From: Vanessa Brown
Sent: 09 December 2013 13:20
To: Robin Hodgetts
Subject: BH 2013/03815

Dear Mr Hodgetts

Ref: BH2013/03815

As Ward Councillors we are writing to object to this planning application. These newer detached houses in the road are built only 1.2 metres apart and this very large side and back extension is going to take light from 95 Woodland Avenue and will give the residents a distinct feeling of enclosure. It will particularly affect the light to their kitchen window which overlooks No. 93.

If the recommendation for this application should be to grant we would request that it goes before the planning committee for decision.

Yours sincerely

Cllr Vanessa Brown

Cllr Jayne Bennett