

<b><u>No:</u></b>	<b>BH2018/00081</b>	<b><u>Ward:</u></b>	<b>Hove Park Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>51 Woodland Avenue Hove BN3 6BJ</b>		
<b><u>Proposal:</u></b>	<b>Demolition of single storey rear extension. Erection of a part one part two storey rear extension, single storey side extension and associated works.</b>		
<b><u>Officer:</u></b>	Sam Bethwaite, 292138	tel: <b><u>Valid Date:</u></b>	10.01.2018
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	07.03.2018
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Turner Associates 19A Wilbury Avenue Hove BN3 6HS		
<b><u>Applicant:</u></b>	Mr Romani Latif 51 Woodland Avenue Hove BN3 6BJ		

**Councillor Brown has requested this application is determined by the Planning Committee. This application was deferred from the Planning Committee held on 15.07.2018 so that a site visit could be conducted.**

**1. RECOMMENDATION**

**1.1 GRANT** planning permission, subject to the following conditions and informatives:

Conditions:

1. 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	TA1091 / 10 C		9 May 2018
Floor Plans Proposed	TA1091 / 11 C		26 June 2018
Elevations Proposed	TA1091 / 12 C		9 May 2018
Elevations Proposed	TA1091 / 13 D		26 June 2018
Sections Proposed	TA1091 / 14		9 May 2018

2. 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.

3. The first floor windows in the North and South elevations of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informative: The applicant is advised that the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One 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. The applicant is advised that the application of translucent film to clear glazed windows would not satisfy the requirements of condition 3)

**2. RELEVANT HISTORY**

**BH1999/02858/FP** - Erection of rear PVCu conservatory - Approved 04.01.2000

**BH2000/01974/FP** - Single storey rear extension incorporating a Conservatory - Approved 18.09.2000

**3. CONSULTATIONS**

- 3.1 Brighton & Hove Archaeological Society - No Objection
- 3.2 County Archaeologist - No Objection. The site is within an Archaeological Notification Area but based on the information supplied no significant below ground archaeological remains are likely to be affected by these proposals.

**4. REPRESENTATIONS**

Original Proposed

- 4.1 Four (4) letters has been received from one neighbour, objecting to the proposed development on the following grounds: Overbearing impact, loss of light, loss of outlook, reduced privacy and the appearance of the building is out of keeping with the area.
- 4.2 Councillor Brown, objects to the proposed development and requests it should be heard at Planning Committee if recommended for approval. Comment attached.

Amended Proposed

- 4.3 Amended plans were submitted on 9 May 2018 showing a reduction in the projection of the first floor extension along the North boundary and a reduction in the ridge height of the extension. As a result of the revised plans the neighbours and contributors were re-consulted and given two weeks to submit comments on the revised application. The following comments were received.

- 4.4 Two (2) letters has been received from one neighbour, objecting to the proposed development on the following grounds: the proposed two storey extension remains out of character with the surrounding houses and will have a negative impact on no.53.
- 4.5 Councillor Brown, objects to the proposed development and requests it should be heard at Planning Committee if recommended for approval. Comment attached.

## 5. **RELEVANT POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

#### Brighton & Hove Local Plan (retained policies March 2016):

QD14 Extensions and alterations

QD27 Protection of Amenity

#### Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

## 6. **CONSIDERATIONS & ASSESSMENT**

- 6.1 The site is a detached house on the east side of Woodland Avenue. It is not in a conservation area or covered by an Article 4 Direction which removes permitted development rights. The proposal is for the demolition of the existing single storey rear extension and conservatory and the erection of a part one/part two storey rear extension in the same footprint. At first floor level the north east corner of the extension is set in by 2.9m and set back by 2.7m. The first floor extension has a pitched roof that is a continuation of the main ridge with a gable to the South East corner that has a ridge which is 0.4m lower. The existing single storey element to the south side of the property is to have the roof rebuilt which will increase the height by 0.5m. To the north side the single storey projection housing the utility room is to be extended to the rear by 2.7m. The front door is to be relocated from inside an open porch to the front of the property with a canopy over. The front window of the ground floor study is to be enlarged.
- 6.2 The scheme originally submitted proposed a two storey extension within the footprint of the existing single storey rear extension and conservatory. This extension had a pitched roof that continued the ridge line of the main roof. The impact on the neighbouring property to the North, no.53 Woodland Avenue, was considered significant in terms of overshadowing and being overbearing and accordingly the proposal had been amended to address these concerns.
- 6.3 Further drawings were received on 26.06.18 that addressed minor inconsistencies within the submission. A first floor North elevation window

shown in error was removed from the proposed first floor plan and a proposed front elevation (un-altered from the original submission) was added to drawing TA1091/13 D.

#### 6.4 Design and Appearance

The depth of the proposed part one/part two storey rear extension (4.6m) is in excess of half the internal depth of the original dwelling (8m), which can be a useful guideline in assessing the proportionality and design of an extension. However, in this instance, the detached nature of the existing house and the substantial size of the plot on which it sits ensures that the proposal would not appear as an overdevelopment of the host property or site as a whole.

6.5 The existing single storey rear extension and conservatory do not enhance the look of the property and the mix of roof designs and materials gives the rear elevation a somewhat contrived appearance. The proposed rear extension amalgamates the foot print of the existing structure into an extension that clearly relates to the host building. The proposed extension is finished in materials and details that match the existing house.

6.6 The new flat roof to the single storey element of the south elevation is considered an acceptable approach. The Council's design guide for extensions and alterations (SPD12) advises that a flat roof is acceptable to a side extension where it is set back significantly from the front elevation, as it is in this case.

6.7 The extension to the existing north side single storey element and the relocation of the front door with proposed canopy cause no harm in design terms.

6.8 Overall, the proposed extensions and alterations are considered acceptable additions to the building that would not harm its appearance or that of the wider area, in accordance with policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

#### 6.9 Impact on Neighbouring Amenity

The impact on the adjacent properties at 53 Woodland Avenue has been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm has been identified. It is noted that objections have been received in relation to the impact on this property.

6.10 The proposed rear extension does increase the mass of built form over the current arrangement. However, in order to mitigate any potential impact on the neighbour at no.53 the two storey element would be 4.8m away from the shared boundary. Additionally, any impact is further reduced as no.53 sits higher on the slope of the land than the subject property. As a result of these factors the proposed extension does not bisect views at 45 degrees from the neighbour's rear window (known as the '45 degree rule'). The orientation of the site means that the proposed rear extension will not significantly reduce the level of light received by the rear elevation and rear garden of no.53. Although the neighbour

will be able to see the proposed extension the impact is not considered sufficient to warrant refusal.

- 6.11 The first floor window to the north elevation will be conditioned to be fitted with only obscured glazing. To the rear elevation the proposed first floor windows are not considered to significantly increase the level of overlooking.
- 6.12 The impact on the adjacent property at 49 Woodland Avenue has been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm has been identified.
- 6.13 The proposed two storey extension does not project beyond an existing single storey rear extension at no.49. This ensures there would not be an unacceptable overbearing impact at ground floor level. The proposed two storey element is 3.3m from the boundary with this neighbour and similarly does not break the 45 degree rule. The 0.5m increase in height of the single storey projection to the south side will not have a significant impact on no.49. The first floor window to the south elevation will be conditioned to be fitted with only obscured glazing. To the rear elevation the proposed first floor windows are not considered to significantly increase the level of overlooking.
- 6.14 Overall it is considered that the scheme, as now amended, has overcome the initial concerns regarding the neighbours' amenity and is accordingly recommended for approval.

## **7. EQUALITIES**

- 7.1 None identified.

