

<b><u>No:</u></b>	<b>BH2021/00998</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>16 Lloyd Road Hove BN3 6NL</b>		
<b><u>Proposal:</u></b>	<b>Erection of single storey detached garden room outbuilding to rear garden.</b>		
<b><u>Officer:</u></b>	Caitlin Deller, tel: 296618	<b><u>Valid Date:</u></b>	19.03.2021
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	14.05.2021
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Carr Architecture Platform 3 Village Underground 54 Holywell Lane London EC2A 3PQ		
<b><u>Applicant:</u></b>	Mr & Mrs McKay 16 Lloyd Road Hove BN3 6NL		

## 1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **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	RFC_BTN_13_E X_01		19 March 2021
Proposed Drawing	RFC_BTN_13_P R_01		19 March 2021

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 outbuilding hereby approved shall only be used for purposes incidental to the main dwelling.

**Reason:** To ensure the use of the development hereby permitted it appropriate for its location and does not unduly impact on the amenity of neighbours, in accordance with policy QD27 of the Brighton & Hove Local Plan.

### 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. SITE DESCRIPTION**

- 2.1. The application site relates to a semi-detached property located on the north-west side of Lloyd Road.

## **3. RELEVANT HISTORY**

None

## **4. APPLICATION DETAILS**

- 4.1. Planning approval is sought for the erection of single storey outbuilding to rear of dwelling.
- 4.2. The outbuilding would have a width of 8 metres and a depth of 5 metres and would be located 1 metre away from both side boundaries, and 2 metres from the rear of the application site. It would measure 0.5m over the height of the existing north-east boundary wall (shared with No 18 Lloyd Road), and 1m over the south-west boundary (No 14 Lloyd Road), and 0.6m over the north-west boundary (No 3 Lloyd Close).

## **5. CONSULTATIONS**

None

## **6. REPRESENTATIONS**

- 6.1. **Four (4)** representations have been received, objecting to the development for the following reasons:
- Development is larger than others within the area
  - Limited space for a pump/filter to be set away from neighbours
  - Lack of detail for noise reduction
  - Pump location not shown
  - Noise disturbance
  - Introduction of another woodburner
  - Pollution
  - Impact on wildlife
  - Loss of character of the area
  - Overdevelopment
- 6.2. **Councillors Bagaean and Brown** have objected to the proposal and requested that the application be heard at Committee. A copy of their representations are attached to the report.

## 7. RELEVANT POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP10	Biodiversity
CP12	Urban design

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

QD14	Extensions and alterations
QD27	Protection of Amenity

#### Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM20	Protection of Amenity
DM21	Extensions and alterations

#### Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
SPD11	Nature Conservation & Development

## 8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the appearance of the proposed building, the proposed use, and impact on neighbouring properties amenity.

#### Design and Appearance

- 8.2. The proposed single storey outbuilding would be finished with timber cladding to the elevations and a flat roof with a green roof finish. The new fenestration would be finished in aluminium. The outbuilding is located towards the end of the rear garden.
- 8.3. The outbuilding would have a width of 8 metres and a depth of 5 metres and would be located 1 metre away from both side boundaries, and 2 metres from the rear of the application site. It would measure 0.5m over the height of the existing north-east boundary wall (shared with No 18 Lloyd Road), and 1m over the south-west boundary (No 14 Lloyd Road), and 0.6m over the north-west boundary (No 3 Lloyd Close). The size of the outbuilding and positioning is considered acceptable. It would be located close to the neighbouring

boundaries, but due to the length of the rear gardens in the immediate context, the outbuilding would be a sufficient distance from the immediate neighbouring properties. Whilst it is noted that the properties along Lloyd Close to the rear are set closer towards the rear of the application site with shallower gardens, the outbuilding has been set a sufficient distance away from the rear boundary (2m) and as such, the positioning is appropriate in this context.

- 8.4. Although differing in materials from the host property, it is considered an appropriate design that would have no detrimental visual impact on the neighbouring properties or the wider area. The chosen materials and finishes of timber cladding and a green roof are considered to blend better into the existing foliage at the rear of the garden, rather than appearing overly prominent. The use of these soft natural materials would reflect the surrounding environment and therefore are considered acceptable. In addition, the distance between the outbuilding and host property means there is no harmful juxtaposition of design styles and materials.
- 8.5. It is confirmed in the plans submitted that the use of the outbuilding will be as a garden room. The outbuilding has no kitchen or bathroom facilities and the use of the garden area would remain as existing. The proposed outbuilding use is therefore considered acceptable as incidental to the main dwelling, with a clear dependency.
- 8.6. The proposed plans detail a swimming pool, however it is noted that the erection of this does not require planning permission, and as such is acceptable.
- 8.7. The proposed outbuilding and associated works are considered to be a suitable addition 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.

#### Impact on Amenity

- 8.8. The form of the proposed outbuilding would have no detrimental effects, as although relatively large in footprint, it is single storey with a flat roof and set back from the surrounding houses, therefore causes no overbearing or overshadowing effects.
- 8.9. The fenestration proposed is not considered to cause any overlooking harm as it is all located at ground floor level.
- 8.10. The proposed outbuilding use as garden room may increase the degree of activity in this area in the summer months, but it is considered that any noise or nuisance generated through this increased user, would not be so substantial as to warrant refusal given the incidental use of the building proposed. A condition would be attached restricting the use as incidental to the host property, to ensure no substantial change in use occurs from that considered in this report.
- 8.11. Concerns have been raised in regards to the potential noise impact as a result of the swimming pool equipment, and air pollution from the proposed wood burner. The provision of a swimming pool is considered permitted development

and does not require planning permission. The installation of a wood burner is also normally considered to be permitted development, development not requiring planning consent, and therefore there is no strong objection to the provision of this. Any complaints in regards to the potential smoke pollution as a result should be referred to the Environmental Health department.

- 8.12. It should also be considered that the erection of this outbuilding, if lowered in height by 0.3m, would not require a planning application as it would be considered permitted development.
- 8.13. The proposed outbuilding and works would not cause significant harm to the amenity, in accordance with Policy QD27 of the Brighton & Hove Local Plan. The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, outlook and privacy following an investigation and no significant harm has been identified.

**Other matters**

- 8.14. The street outside 16 Lloyd Road is within an NIA (nature improvement area), the development site at the rear itself is not. The application does however propose a green roof and given the relatively minor scale of the development is not considered to have a detrimental impact upon biodiversity and approval is recommended for the reasons set out above.

**9. EQUALITIES**

None identified

