

<b><u>No:</u></b>	<b>BH2022/00447</b>	<b><u>Ward:</u></b>	<b>South Portslade Ward</b>
<b><u>App Type:</u></b>	<b>Prior Approval Extension</b>		
<b><u>Address:</u></b>	<b>14 Millcross Road Portslade BN41 2BG</b>		
<b><u>Proposal:</u></b>	<b>Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.25m, for which the maximum height would be 3.356m, and for which the height of the eaves would be 2.8m.</b>		
<b><u>Officer:</u></b>	Alice Johnson, tel: 296568	<b><u>Valid Date:</u></b>	09.02.2022
<b><u>Con Area:</u></b>	None	<b><u>Expiry Date:</u></b>	23.03.2022
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	07.04.2022
<b><u>Agent:</u></b>	Stephen Bromley 5 West Street Shoreham By Sea BN43 5WF		
<b><u>Applicant:</u></b>	Mrs J Hobbs 14 Millcross Road Portslade BN41 2BG		

## 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 **GIVE** prior approval, as prior approval is required for the development, and the following Condition and Informatives as set out hereunder.

### 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>
Proposed Drawing	11991-1PL-A		17 March 2022
Location Plan			25 February 2022

### 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. This written notice does not confirm whether planning permission is required for the proposed development. In order to seek confirmation that planning permission is not required, you are advised to apply for a Lawful Development Certificate.
3. The applicant is advised to refer to the Town and Country Planning (General Permitted Development) Order 2015 to ensure that the proposed development conforms to all relevant restrictions.

4. Applicants are reminded that a CIL Form 5 should be submitted for lawful development certificates and prior approvals to determine whether the scheme would result in a CIL liability. The Commencement notice Form 6 should be submitted PRIOR to the commencement of any works. The forms should be submitted to the CIL team at [cil@brighton-hove.gov.uk](mailto:cil@brighton-hove.gov.uk). The forms and further guidance are available on the Planning Portal and the Council websites.

## **2. SITE LOCATION**

- 2.1. The application site at 14 Millcross Road is part of a semi-detached pair with no. 120 Foredown Drive. The property is a single storey dwellinghouse and is situated on the southern side of Millcross Road. The area is primarily residential, and a number of rear extensions are present in the area, including at the adjoining properties no. 120 and 118 Foredown Drive and 16 Millcross Road.
- 2.2. The site is not within a conservation area and there are no Article 4 Directions covering the site affecting alterations and extensions.

## **3. RELEVANT HISTORY**

- 3.1. **Q/52/35** semi-detached Bungalow Granted 14/05/2952 (Permission: unconditional: use class not specified)

## **4. APPLICATION DESCRIPTION**

- 4.1. The application seeks prior approval under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 relating to a 'larger home extension', for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.25m, for which the maximum height would be 3.356m, and for which the height of the eaves would be 2.8m.
- 4.2. The maximum height of the extension was originally 3.5m and consultation was undertaken on this basis. After discussing the plans with the agent, the maximum height has been lowered to 3.356m. A re-consultation was not carried out due to the proposal being smaller than what was originally consulted on.
- 4.3. The application must be considered by the Planning Committee because it is made by a close relative of an officer.

## **5. REPRESENTATIONS**

- 5.1. Representations have been received from one neighbouring resident raising the following concerns:
  - Loss of value to property

- Damage and trespass at a neighbouring property
- Loss of light
- Loss of visual amenity

5.2. Officer Comment: Loss of property value is not a material consideration in relation to a planning application, and damage/trespass are civil, not planning matters.

### 5.3. RELEVANT POLICIES AND GUIDANCE

The National Planning Policy Framework (NPPF)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

## 6. CONSIDERATIONS & ASSESSMENT

6.1. This application seeks prior confirmation as to whether prior approval is required for the development, and if so whether it is approved or refused. The below sets out consideration in response to each of the criteria set out in the legislation.

6.2. The information submitted with the application meets the requirements set out in the legislation, and the Council has notified owners and occupiers of any adjoining premises about the proposed development by serving on them a notice.

6.3. Objections have been received from the adjoining property, and so the Local Planning Authority must consider the impact of the proposed development on the amenity of all adjoining premises.

#### Impact on Amenity

6.4. The proposed extension would be in close proximity to no.120 Foredown Drive. No. 120 Foredown Drive currently has a rear extension of a considerable depth which limits the amount of light the property receives in places. The proximity of the proposed extension with no.120 means that it is likely the proposal will lead to some loss of light and overshadowing for the occupants of no. 120 Foredown Drive.

6.5. At the boundary with no.120 Foredown Drive the proposed eaves height would be relatively low at 2.8m. The low eaves height is unlikely to cause significant loss of light or overshadowing, particularly considering the extension's orientation and location to the west of no.120. The overshadowing and loss of light would not occur consistently throughout the day and the harm is therefore not considered substantial enough to warrant refusal.

6.6. No.16 Millcross Road is separated from the application site by a driveway. No.118 Foredown Drive is separated from the application site by a considerable distance due to the length of the garden at no.14. These distances are

considered sufficient enough that neither property is expected to experience any amenity impact.

**Visual Impact**

- 6.7. The proposed extension would not significantly deteriorate the neighbouring residents' views, particularly considering the existing extension at no. 14 and the extensions existing at the adjoining properties.

**7. EQUALITIES**

None identified