

<b><u>No:</u></b>	<b>BH2022/02465</b>	<b><u>Ward:</u></b>	<b>Central Hove Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>23 Brooker Street Hove BN3 3YX</b>		
<b><u>Proposal:</u></b>	<b>Subdivision of existing single dwelling house (C3) to create 3no residential units (C3) with alterations including erection of single storey side extension, rear dormer, 2no front rooflights and revised fenestration.</b>		
<b><u>Officer:</u></b>	Ayscha Woods, tel: 292322	<b><u>Valid Date:</u></b>	02.08.2022
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	27.09.2022
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	CMK Planning 11 Jew Street Brighton BN1 1UT		
<b><u>Applicant:</u></b>	R Symonds 68 Old Shoreham Road Hove BN3 6GF		

## 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 Plan	018-001		2 August 2022
Proposed Drawing	018-110		28 October 2022
Proposed Drawing	018-111		28 October 2022
Proposed Drawing	018-112		28 October 2022
Proposed Drawing	018-113		2 August 2022
Proposed Drawing	018-120		2 August 2022
Proposed Drawing	018-121		2 August 2022
Report/Statement		Planning Statement	2 August 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. SITE LOCATION

- 2.1. This application relates to 23 Brooker Street which is a two-storey, bay-fronted end-of-terrace dwellinghouse located on the western side of Brooker Street. The site is not located within a conservation area but is adjacent to the Old Hove Conservation Area to the rear of the site.
- 2.2. Adjacent to the north of the application site is a new detached single dwelling house recently constructed under planning permission ref. BH2016/02102, of a similar overall form to the application site. The rear of the properties face Brooker Place which is characterised by mostly the rear of dwellings of Brooker Street and the rear of 35-61 Sackville Road with some single storey rear garages and some rear infill development.

### **3. RELEVANT HISTORY**

None relevant

### **4. APPLICATION DESCRIPTION**

- 4.1. Permission is sought for the subdivision of the existing single dwelling house (C3) to create 3no residential units (C3) with alterations including erection of single storey side extension, rear dormer, 2no front rooflights and revised fenestration.
- 4.2. Amendments were received throughout the course of the application including a reduced scaled dormer to the rear roofslope, and removal of a rear external stairway.

### **5. REPRESENTATIONS**

- 5.1. Thirteen (13) letters have been received objecting to the proposed development on the following grounds:
  - Poor design
  - Additional Traffic
  - Detrimental affect on property value
  - Adversely affects Conservation Area
  - Noise
  - Overdevelopment
  - Overshadowing/loss of light
  - Loss of privacy
  - Overlooking
  - Impact on parking
  - Residential Amenity
  - Too close to the boundary
  - Restriction of view
  - Loss of family home

## 6. CONSULTATIONS

- 6.1. **Private Sector Housing:** No comment received
- 6.2. **Environmental Health:** No comment received
- 6.3. **Housing Strategy:** No comment  
No comments to make.
- 6.4. **Planning Policy:** No comment  
Policy comments not required.
- 6.5. **Sustainable Transport:** No objection  
Acceptable. The proposed subdivision of the existing single residential property to create three residential units will result in an increase in trips generated by the site, however this increase in trips is not expected to result in a negative impact on the local highway network.
- 6.6. The proposal includes a communal bike store for 3 semi vertical cycle racks. However semi-vertical cycle racks are not considered to be easily used by all.

## 7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
  - Brighton & Hove City Plan Part Two (adopted October 2022)
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
  - Shoreham Harbour JAAP (adopted October 2019).

## 8. POLICIES

### The National Planning Policy Framework (NPPF)

### Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM3	Residential conversions and the retention of smaller dwellings
DM18	High quality design and places
DM21	Extensions and alterations
DM20	Protection of Amenity

DM26	Conservation Areas
DM33	Safe, Sustainable and Active Travel
DM40	Protection of the Environment and Health - Pollution and Nuisance

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP15	Heritage

Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

## **9. CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of conversion of the dwellinghouse, the standard of accommodation provided, any potential impact on the amenities of neighbouring properties, impact of the design and appearance on the character of the building and wider area, and transport and sustainability issues.
- 9.2. Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. However, on 24 March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement. The local housing need figure for Brighton & Hove using the standard method is 2,311 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally.
- 9.3. The council's most recent housing land supply position is published in the SHLAA Update 2021 which shows a five-year housing supply shortfall of 6,915 (equivalent to 2.1 years of housing supply).
- 9.4. As the council is currently unable to demonstrate a five year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

### **Principle of Development:**

- 9.5. The scheme proposes a subdivision of the existing single dwellinghouse to 3no. separate units. Policy DM3 of the adopted City Plan Part Two relates to conversions and the retention of smaller dwellings.
- 9.6. Planning permission for the conversion of dwellings into smaller units of self-contained accommodation will be granted where all the following criteria are met;
- a) The original floor area is greater than 120sqm or the dwelling has 4 or more bedrooms as originally built;
  - b) At least one unit of the accommodation provided is suitable for family occupation and has a minimum of two bedrooms; and
  - c) The proposal provides a high standard of accommodation that complies with requirements set out in Policy DM1 Housing Quality, Choice and Mix.
- 9.7. The proposal has an existing outrigger to the rear which appears to be original XXXXXXXX and is included in the original floorspace of the building. The original floor area has been sufficiently demonstrated to be in excess of 120m<sup>2</sup> and therefore meets criteria a.
- 9.8. The proposed ground floor unit would have two bedrooms including a double and a single bedroom and whilst minimal, would be of a size suitable for family occupation, with facility and space for storage, a bathroom and access to a small rear garden. Therefore, criteria b is met.
- 9.9. All three of the proposed units would comply with the national described space standards (NDSS) and would comply with policy DM1 (discussed further under standards of accommodation section below). Criteria c is considered to be met.
- 9.10. Accordingly, no objection is raised to the principle of the proposal. It is also noted that the proposals would contribute towards the city's housing target.

**Design and Appearance:**

- 9.11. The application would involve some alterations to the external appearance of the property. Two rooflights are proposed for the front roofslope with a suitably sized dormer and single rooflight to the rear roofslope. There would be a small single storey side extension to the rear ground floor unit with two rooflights over. The ground floor rear of the outrigger would have bi-folding doors for access to the garden and the first floor side window would be moved towards the rear and enlarged to provide suitable light to the proposed first floor rear kitchen.
- 9.12. The physical alterations are considered to be appropriate for the building and would not cause harm to the character of the area and are in accordance with CP12 of the Brighton and Hove City Plan Part One and DM21 of the Brighton and Hove City Plan Part Two.

**Impact on Amenity:**

- 9.13. Policy DM20 of City Plan Part 2 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.

- 9.14. The principle of the proposed conversion is not deemed likely to result in an unacceptable increase in noise or activity levels which would be of detriment to any neighbouring properties, including those created as a result of the proposal, given the existing residential character of the area.
- 9.15. It is noted that the originally proposed external stairway was raised as a matter of concern by numerous letters of representation with regards to noise disturbance and overlooking concerns. The external staircase originally proposed has been removed from the proposal throughout the course of the application.
- 9.16. It is not considered that the occupation of the site as three small residential units would result in any significantly harmful noise disturbance above and beyond the existing residential occupation of the site and surrounding area and is not considered to be detrimental to amenity. The proposal is therefore considered to be in accordance with DM20 of the Brighton and Hove City Plan Part Two.

**Standards of Accommodation:**

- 9.17. The 'Nationally Described Space Standards' (NDSS) were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. These were formally adopted into the newly adopted Brighton and Hove City Plan Part Two (October 22) under Policy DM1 and holds full weight.
- 9.18. The proposed units are assessed below:
- 9.19. Ground floor, two bed unit:
- Total floor area measures 70sqm
  - Bedroom - 18sqm (double)
  - Bedroom - 10sqm (single)
- This unit exceeds the NDSS for 2 bed, 3 person, 1 storey unit of 61sqm, with a double bedroom which exceeds the minimum size of 11.5sqm and a single bedroom which exceeds the minimum size of 7.5sqm. This unit also has access to small rear garden and is considered suitable for family occupation.
- 9.20. First Floor studio unit:
- Total floor area measures 37sqm
  - Bedroom approx. 10sqm
- This unit meets the NDSS for a 1 bed, 1 person, 1 storey studio of 37sqm. The bedroom area within the studio flat would be suitable in size and exceeds the minimum of 7.5sqm with suitable storage and usable living area.
- 9.21. First/Second Floor unit:
- Total floor area measures 58sqm
  - Bedroom - 17sqm (double)
- This unit meets the NDSS for a 1 bed, 2 person, 2 storey unit of 58sqm. The bedroom area would be suitable in size and exceeds the minimum of 11.5sqm with suitable storage and usable living area.

9.22. All units would meet the minimum NDSS standards and would have suitable space for furniture and circulation and access to outlook and natural light. Whilst the ground floor single bedroom would have limited direct sunlight the rest of the unit would otherwise present a good standard of accommodation and is therefore considered to be acceptable.

9.23. DM20 of CPP2 require the provision of private amenity space in new development. Whilst the scheme is a conversion of an existing dwelling, it is noted that the ground floor family unit would have access to the rear garden which is supported.

**Sustainable Transport:**

9.24. The proposal is unlikely to result in a significant uplift in trip generation.

9.25. The site is constrained for space and is unlikely to be able to accommodate policy compliant cycle parking. Cycle parking is proposed, and this is supported.

9.26. The site is located within a Controlled Parking Zone (CPZ) with the issuance of on-street permits at the discretion of the Local Highways Authority.

**Sustainability:**

9.27. Policy CP8 of the submission City Plan Part One requires new development to demonstrate a high level of efficiency in the use of water and energy. For the conversion of existing buildings which are in residential use already, there is no longer a specific sustainable building requirement.

**10. CLIMATE CHANGE/BIODIVERSITY:**

10.1. The works would modernise and refurbish the existing building. The scheme would have a neutral impact on biodiversity.

**11. EQUALITIES**

None identified.

