

<u>No:</u>	BH2023/00478	<u>Ward:</u>	Wish Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	24A Saxon Road Hove BN3 4LF		
<u>Proposal:</u>	Erection of hip to gable roof extension with front and rear rooflights, side window and rear dormer.		
<u>Officer:</u>	Charlotte Tovey, 202138	tel: <u>Valid Date:</u>	16.02.2023
<u>Con Area:</u>		<u>Expiry Date:</u>	13.04.2023
<u>Listed Building Grade:</u>		<u>EOT:</u>	15.06.2023
<u>Agent:</u>	Shape Architecture Ltd Maritime House Basin Road North Hove BN41 1WR		
<u>Applicant:</u>	Mr James Graves 24A Saxon Road Hove BN3 4LF		

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.

Plan Type	Reference	Version	Date Received
Location Plan	SU001		16 February 2023
Block Plan	PL004		16 February 2023
Proposed Drawing	PL003		16 February 2023
Proposed Drawing	PL001		16 February 2023
Proposed Drawing	PL002	C	23 May 2023

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. Notwithstanding the plans hereby approved all openings within the southern window in the rear dormer and rear rooflight as detailed on plans PL002 rev C of the development hereby permitted shall be non-opening and thereafter permanently retained as such.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy DM41 of Brighton & Hove City Plan Part 2.

4. No development above ground floor slab level of any part of the development hereby permitted shall take place until an application for the approved development has been submitted to and approved by Building Control.

Reason: To safeguard the health of future residents or occupiers of the site from the impacts of the chimney, and to comply with policy DM41 of Brighton & Hove City Plan Part 2.

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. The application site comprises a semi detached dwellinghouse on the western side of Saxon Road at no. 24. The building has been sub-divided into flats and the application relates to the flat A on the first floor. The front elevation of the building is of red brick construction to the ground floor and white painted render to the first floor with a ground floor porch providing access to both flats that sits centrally positioned between the two decorative semi-circular bay windows. The roof is hipped with red tiles. The site has a front driveway and garage separating the dwelling from its southern neighbour at no. 22. At the rear there are steps constructed to connect the first floor flat to the lower garden.
- 2.2. The street scene is primarily residential and adjacent to Wish Park recreation ground.
- 2.3. The site is not within a conservation area.

3. RELEVANT HISTORY

- 3.1. **BH2018/02757** Erection of hip to gable roof extension with front and rear rooflights, side window and 2no rear dormers. Installation of new external steps to rear and replacement windows and door. Approved at committee 18.06.2019. Not Implemented.
- 3.2. **BH2012/01412** Loft conversion incorporating rooflights to front, rear and side roofslopes. Approved 27.06.2012. Not Implemented.

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the erection of a hip to gable roof extension with front and rear rooflights, a side window and a rear dormer.

- 4.2. Planning permission BH2018/02757 was granted at committee in June 2019 to alter the roof of the flat from a hip to a gable and for the insertion of two rear dormer windows that would have facilitated two new bedrooms being built in the loft space. The new owners of 24a Saxon Road now seek permission for similar alterations to erect a hip to gable roof extension with front and rear rooflights, but with a side window and single rear dormer to internally facilitate an open plan living/ kitchen space in the loft space and to create an additional bedroom.

5. REPRESENTATIONS

- 5.1. Six (6) representations have been received, objecting to the proposal on the following grounds:
- Poor design
 - Too close to the boundary
 - Overdeveloped
 - Structural integrity of the building would be affected by the development
 - Drainage and sewage infrastructure would not support the development
 - Noise
 - Overshadowing
 - Loss of privacy
 - The alterations would require consent of the freeholders
 - Concerns from the position of the rear dormer windows to the retained chimney breast
 - Detrimental impact on property value

6. CONSULTATIONS

6.1. Transport

Verbal consultation received on the 5 May 2023. No objections raised.

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 Two (adopted October 2022);
 - Brighton & Hove City Plan Part One (adopted March 2016);
 - 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 Joint Area Action Plan (JAAP) 2019.

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

SS1	Presumption in Favour of Sustainable Development
CP12	Urban design
CP13	Public streets and spaces

Brighton and Hove City Plan Part Two

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM33	Safe, Sustainable and Active Travel
DM41	Polluted sites, hazardous substances & land stability

Supplementary Planning Documents

SPD12	Design Guide for Extensions and Alterations
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9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposal, the impact on the street scene and the impact on neighbouring amenity.
- 9.2. A site visit has not been undertaken in this instance, however, the impacts of the proposal can be clearly assessed from the plans and photos provided and from recently taken aerial imagery of the site.

Design and Appearance

- 9.3. Concerns were raised during neighbour consultation that the proposed alterations would be of poor design, detrimentally altering the appearance of the building to appear overdeveloped and the alterations would be positioned too close to the boundary.
- 9.4. SPD12 guidance states that it is important to take into consideration the street scene and local character of the application site to assess the alterations to the dwellinghouse. It is worth noting that if the dwellinghouse had not been subdivided into flats the proposed development would fall within the remit of a home owners permitted development rights given that the volume and materials proposed would be in accordance with the Town and Country Planning (General Permitted Development) Order (2015) (as amended).
- 9.5. Whilst the proposed hip to gable would result in an imbalance of the two semi detached properties, there are many other examples of hip to gable and barn end roof extensions within the street scene including, no. 4, 6, 12, 14, 20, 28, 32, 38, 42 and 44 Saxon Road. It is noted that some of these alterations have been constructed with the benefit of permitted development rights for a single dwellinghouse, however they nevertheless form part of the character of the area

and as such the new hip to gable extension is not considered to result in any additional significant harm in this instance.

- 9.6. Permission is also sought for the insertion of one circular window to the southern side of the new gable end extension that would service the open plan living room/ kitchen. The window would be non opening and constructed in matching materials to the existing fenestration and is considered appropriate for the side elevation.
- 9.7. The proposed rear dormer would be suitably scaled upon the northern side of the rear roof slope that would align with the existing ground floor and first floor window, retaining the existing chimney on the southern side of the roof slope. The dormer would be set in from the side eaves and down from the ridge, constructed in materials sympathetic to the existing roof, fitted with a pitched roof and the new windows would match the design and appearance of the existing fenestration. It is noted that there are other examples of rear loft extension on Saxon Road. The dormer would broadly accord with the design principles set out within SPD12.
- 9.8. Overall the dormer is considered to be of good design, appropriately scaled for the rear elevation that would not appear incongruous within its setting and would therefore accord with SPD12 in creating a suitably subservient rear roof addition.
- 9.9. The proposed rooflights are conservation style that include 5no. rooflights to the front roof slope and 1no. to the rear. The positioning of the rooflights would align with the first floor glazing and would help to maximise the ingress of sunlight and daylight, reducing reliance on mechanical means. As the site is not within a conservation area, and there is already a proliferation of rooflights within the vicinity of the site, the number of rooflights proposed is not considered to cause harm to the appearance of the building or the wider area.
- 9.10. Overall, the proposed roof alterations would represent a sympathetic and subordinate addition to the host property, in accordance with Brighton & Hove City Plan Part Two policies DM18, DM21, and City Plan Part One policy CP12.

Impact on Amenities

- 9.11. 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 unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.12. The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, overshadowing, outlook, noise and privacy following an investigation. The main consideration to the development would be the impact upon the neighbours amenity at no. 22, no. 24 no. 26 and no. 26a Saxon Road and the dwellings west Roman Road.
- 9.13. It is noted that the southern neighbour at no. 22 Saxon Road has solar panels fitted to the front and rear roofslopes and as recent case law has demonstrated,

the local planning authority should take into consideration the effects of the development upon solar panels. Due to the orientation of the site it is not considered that the hip to gable loft extension positioned on the southern side elevation of the roof would affect the performance of the solar panels or result in any loss of light to the detriment of neighbouring amenity as any overshadowing from the development would be to the north.

- 9.14. Concerns were raised during neighbour consultation that the proposed alterations would create a detrimental level of noise. The proposed alterations to the dwelling would replace an existing living room with a fourth bedroom and create an open plan living room/ kitchen and bathroom within the roof space. The main living area would be moved to the loft space, further separating the communal living space from the residents of the ground floor flat and neighbours. The first floor would be in use for bedrooms and a bathroom which would therefore have a lesser impact upon the occupants of the adjacent flats. As the dwelling would be used as a residential family home (Class Use C3) it is not considered that the proposed alterations would create an unacceptable level of noise to the local residents.
- 9.15. Concerns were raised during neighbour consultation that the proposed dormer would result in loss of privacy, light and outlook to neighbouring residents. However, the dormer would not project beyond the rear elevation of the building and would be at roof height so is not considered to be overbearing, and any overshadowing would be to existing roofspace of no. 26 in the morning, which is considered to be acceptable. Aerial imagery demonstrates that there is already mutual overlooking between many of the properties along Saxon Road and Roman Road from the existing first floor which is not considered to be exacerbated by the proposed works. The new glazing is not considered to detrimentally overlook the neighbours amenity or be overbearing due to its scale and design in matching materials to the host building. It would not appear out of keeping with the existing glazing on the first floor.
- 9.16. Concerns have been raised that the chimney stack proposed to be retained would not comply with Building Regulations and would be positioned too close to the openable windows/ rooflights. The agent has clarified that the chimney services the ground floor flat and therefore its removal or alteration would require agreement through a Party Wall Notice between the leaseholders/freeholders, and a subsequent application to Building Control. Amendments have been made that now propose to fix shut the window closest to the retained chimney stack.
- 9.17. In terms of planning considerations whilst fixing shut the southern window within the dormer would resolve any issues around impact from any use of the chimney, the alterations are considered acceptable however the alterations would still require approval from Building Control via a separate application prior to the commencement of the works. A condition is attached requiring the openings in the southern window of the dormer and rear rooflight to be fixed shut and non opening. The residents would still retain adequate ventilation from the north window in the rear dormer and from the new fenestration on the front elevation of the roof slope.

- 9.18. Overall the proposal would unlikely cause any harm to the appearance of the dwellinghouse in accordance with Brighton & Hove City Plan Part Two policies DM20, DM26 and SPD12 guidance.

Standard of Accommodation

- 9.19. Concerns were raised during neighbour consultation that the proposed alterations to the layout of the dwelling and alterations to the loft would not comply with policy DM1 of City Plan Part 2.
- 9.20. The proposed loft alterations would enlarge the existing residential dwelling (Class Use C3) from a 3no. bed one storey dwelling to a 4no. bed two storey dwelling. The existing reception room labelled on the plans as 'room 6' would be converted to an additional double bedroom that would be approximately 18m². The existing bedrooms on the first floor labelled as 'Room 1' and 'Room 4' meet the Nationally Described Space Standards for a single bedroom of 7.5m² and 'Room 5' meets the standards to provide a double bedroom of 11.5m².
- 9.21. The proposed would meet the overall floorspace requirements of 106m² to provide a 4 bed dwellinghouse over two storeys for 6 people.
- 9.22. Therefore the proposed alterations would improve the overall floorspace and standard of accommodation in accordance with policy DM1 of City Plan Part Two.

Sustainable Transport

- 9.23. Verbal consultation with our Transport team found the proposal acceptable. The proposed increase from a three to four bedroom dwellinghouse may increase the number of trips to the site, as the use of the dwellinghouse is C3 residential is not considered significant to raise objection. The site would retain the use of the garage for cycle parking and storage and the driveway for off road parking.
- 9.24. It is therefore considered that the proposed alterations to the dwellinghouse would improve the standard of accommodation in accordance with DM33 of City Plan Part Two and policy CP13 of City Plan Part One.

Other Matters

- 9.25. Concerns were raised during neighbour consultation that the applicant had undertaken significant alterations within the rear garden. Site photos have been provided that demonstrate the works the applicant has undertaken to the garden include the installation of decking and artificial grass that do not require planning consent.
- 9.26. Concerns were raised during neighbour consultation that the proposed alterations to the loft would be detrimental to the structure of the building and that the existing drainage would not be able to accommodate the internal alterations. Whilst planning permission is minded to be granted for the principle of the development the works would be subject to compliance with Building Control as a separate matter to the consideration of whether to grant permission to this application.

- 9.27. Concerns were raised during neighbour consultation that the development would be subject to agreement by the freeholders. Freeholder and leaseholder agreements are a private matter between the homeowners and cannot be considered as a material planning consideration.
- 9.28. Concerns were raised by local residents that the proposed would have a detrimental affect on their property value. The planning system does not exist to protect private interests such as the value of land or property, and as such the affect the proposed development could have upon property values does not hold weight in the determination of this planning application.

10. BIODIVERSITY/CLIMATE CHANGE

None identified.

11. EQUALITIES

None identified.