

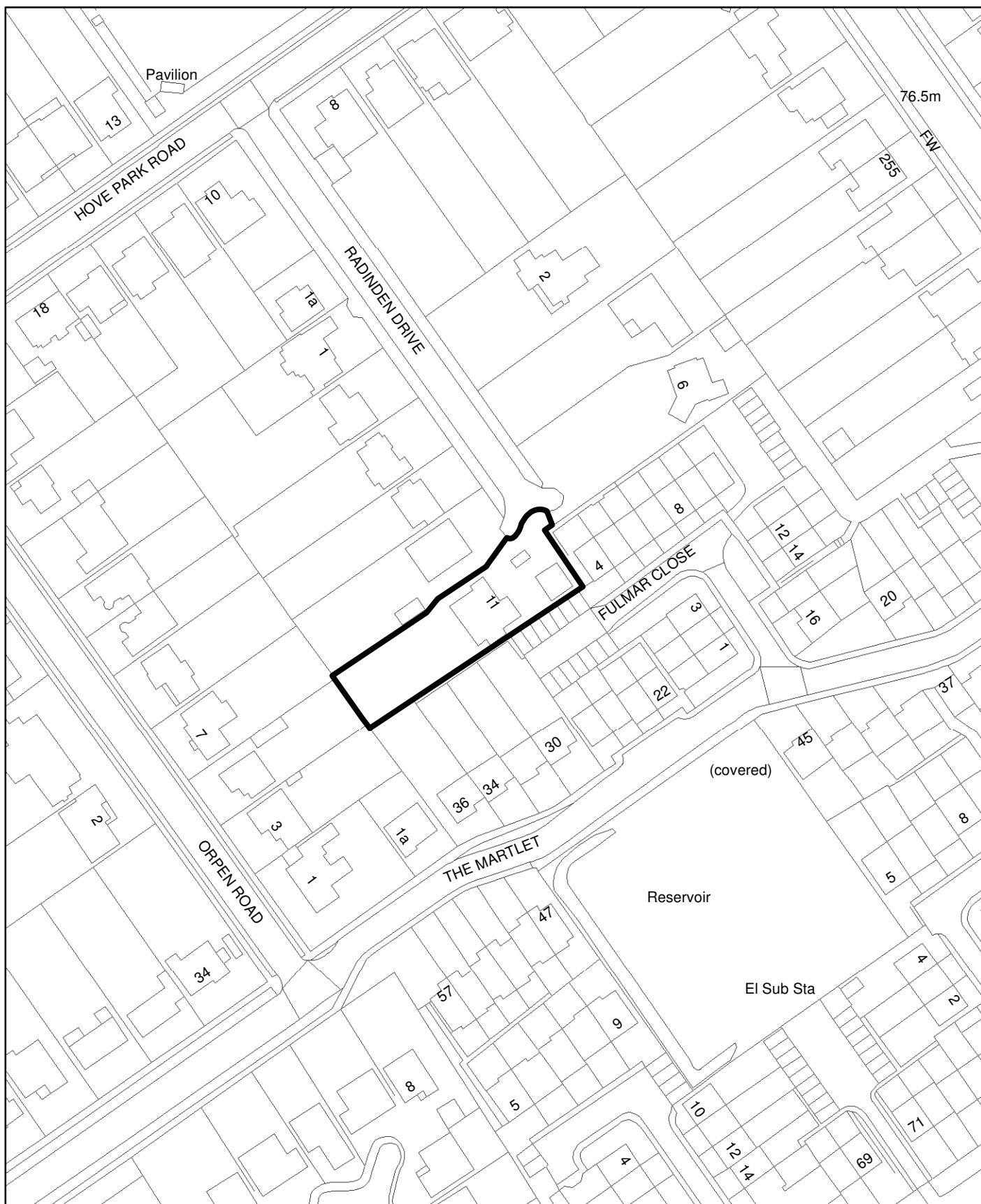
ITEM D

11 Radinden Drive, Hove

BH2015/00529

Householder planning consent

13 MAY 2015



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00529	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	11 Radinden Drive Hove		
<u>Proposal:</u>	Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.		
<u>Officer:</u>	Joanne Doyle Tel 292198	<u>Valid Date:</u>	17 February 2015
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	14 April 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Dr Leung & Mr Morris, 11 Radinden Drive Hove BN3 6LB		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to a detached dwelling, located on the south west side of Radinden Drive at the end of the cul-de-sac. The property is bounded by the detached properties on Radinden Drive to the north, the terraced properties on Fulmar Close to the east, the terraced properties on The Martlet to the south and the detached properties on Orpen Road to the west. The property is two storeys and is constructed in brick work with a tiled roof and upvc fenestration. The property has a full width flat roof rear addition with brick steps leading to the garden area. A driveway leads from Radinden Drive to a detached single storey garage located to the front of the property. To the rear there is a large garden space sloping east to west which is bordered by dense vegetation.

3 RELEVANT HISTORY

BH2014/02471- Remodelling of dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works. Refused on 17/11/2014. The reason for refusal was as follows:-

- The proposed remodelling, by reason of its roof form and materials, would create an incongruous appearance at odds with the prevailing character of Radinden Drive and the surrounding area. Further, the proposed garage, by reason of its form and height, would represent an unduly dominant addition which would stand out in the street scene as an inappropriate addition. The proposal would fail to emphasise or enhance the positive qualities of the*

local neighbourhood and is therefore contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2. *The proposed first and second floor terrace areas represent unneighbourly and overbearing additions which would result in overlooking and loss of privacy for occupants of adjoining properties. The proposal would be detrimental to neighbouring amenity and is therefore contrary to policies QD14 and QD27.*

4 THE APPLICATION

- 4.1 This is a revised scheme and planning permission is sought for the remodelling of existing dwelling incorporating two storey front and rear extensions, roof alterations, enlargement of existing garage including additional floor and associated works.
- 4.2 This application has amended the scheme by revising the roof form, simplifying the materials used, reducing the terrace area and changing the scale and design of the garage.
- 4.3 During the course of the application, the size of the first floor terrace area has been further reduced in size, with the inclusion of privacy screening.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Seven (7)** letters of representation have been received from **No 6 & 9 Radinden Drive, No 4 Fulmar Close, No 3 Orpen Road (x2), No 30 The Martlet and No 12 Trafalgar Terrace** objecting to the proposed development for the following reasons:
 - Remodelling (increase in height/contemporary design) would be inappropriate in size and appearance for the area.
 - Overdevelopment and unbecoming of area.
 - Result in overlooking, overshadowing, loss of daylight and loss of privacy to neighbouring properties.
 - Result in loss of outlook to neighbouring properties.
 - The glazed rear elevation could cause problems with sun reflection and loss of privacy.
 - The extension of garage could lead to change of use in future development into habitable accommodation.
 - Garage located up to boundary wall, size questionable and an odd design.
 - Possible depletion of existing vegetation during development.
 - Potential damage of Radinden Drive during development.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be

made in accordance with the plan unless material considerations indicate otherwise.”

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- QD2 Design - key principles for neighbourhoods
QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Document:

- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impacts of the proposal upon the visual amenities of the parent property, the streetscene and the wider area. The impacts upon the amenities of the neighbouring properties must also be assessed.

Design and character

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 Within SPD12 it is stated that “Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the streetscene, including its topography. Additional storeys should respect the design and materials of the host building and should not have a harmful impact on the amenities of adjacent residents by way of an overbearing impact or by blocking light or outlook to principal windows”. The impact upon neighbouring properties is discussed below.
- 8.4 Radinden Drive and the surrounding area comprises a number of large detached houses of varying design, style and age. The properties in the street comprise a mixture of brick and rendered elevations and differ in terms of detailing. 11 Radinden Drive is set back from the cul-de-sac and has a relatively plain appearance with brick elevations, a plain tiled roof and UPVC fenestration. The existing house is similar in scale to the other properties in the street. The property is situated to the south west of the cul-de-sac with a relatively consistent building line with neighbouring properties. The properties on the north east side are relatively unseen as they are set back from the street and screened by dense vegetation.
- 8.5 The application seeks a substantial remodelling of the house. The proposed alterations and extensions would result in the property comprising an asymmetrical pitched slate roof, creating an additional floor, with a stepped rear elevation incorporating a roof terrace at first floor level. Modern detailing would be used throughout the property, with a full height glazing element to the front entrance and full width windows and doors to the rear elevation. A combination of materials would be used consisting of brickwork and render.
- 8.6 The ridge of the main roof would increase by approximately 2.1m. The submitted plans indicate that the ridge of the main roof would be slightly higher than no. 9 Radinden Drive and slightly lower than no 7 Radinden Drive. The street scene is varied in terms of roof form and height and it is therefore felt that the increase in height respects the general appearance of the Radinden Drive and the topography.

- 8.7 Previously permission was refused (BH2014/02471) as the proposed external appearance incorporated a combination of brickwork, render, stone and timber cladding with a slate roof finish, which created an incoherent and ‘fussy’ appearance. The roof form incorporated a mono pitched roof with raised eaves, which contrasted poorly with houses in the vicinity. The proposal was therefore deemed inappropriate in terms of its appearance by virtue of the design of the roof form, the large array of materials which would create a building that would stand out in the street scene as an alien feature and would be unsympathetic to the setting of the street and the character of the area.
- 8.8 The scheme has been amended to include an asymmetrical pitched slate roof with a combination of brickwork and render to the elevations. The result is a less domineering, simpler building which does not present a clash of styles. The palette of materials is considered to be acceptable. The majority of properties in the street and nearby vicinity feature brickwork or render, or a combination of the two, and so the combination of brick and render is considered acceptable. The roof form, introducing an asymmetrical pitched roof is less dominating than the mono-pitched roof form and fits appropriately amongst the variety of roof form and styles prevalent within the immediate surrounding area, with hipped, gable and barn hip roof forms with alterations to the roof space. Similarly, whilst the finish of the property would be substantially different to the existing property and surrounding properties, incorporating a full height glazing element to the front entrance and full width windows and doors to the rear elevation, there is considered to be a sufficient variation of styles and detailing within the street scene and surrounding area to accommodate the modern approach in this case and maintain visual cohesion. It is also noted that whilst the proposed building would be visible from nearby houses and their gardens, due to its location, set back from the cul-de sac it would not be highly visible in views along Radinden Drive and would not impinge upon the streetscene.
- 8.9 The existing single-storey garage is sited in the front garden a distance from the main building. The structure represents the only detached garage in the street with nearby properties incorporating integral garages. It is a prominent feature in the streetscene due to its location at the end of the cul-de-sac and can be viewed along Radinden Drive. The replacement garage would be larger than the existing with a revised roof form incorporating a pitched roof to accommodate the additional floor. The proposal is considered to be proportionate in scale to the main property, which features a relatively large plot size, and the proposed brick construction would reflect the brickwork on the recipient property. The proposed garage has been reduced in height to 5.4m, with a simpler roof form and materials, following the previously refused application (BH2014/02471). These aspects have combined to reduce the scale and bulk of the building and have addressed the previous reason for refusal related to the previous application BH2014/02471 and the detrimental impact on visual amenity.
- 8.10 In view of the above the proposal is not therefore considered to unduly conflict with Local Plan policy QD14 or guidance within SPD12 or significantly harm the appearance or character of the building or the wider area.

Amenity:

- 8.11 Policy QD27 of the Brighton & Hove Local Plan 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.
- 8.12 The scheme would most affect the property to the north west, no. 9 Radinden Drive. Although the increase of the height of the dwelling would have some impact toward this property, this increase in height of 2.1m at its highest point is unlikely to cause harmful loss of light, overshadowing or outlook toward this property. Whilst there will be some impact toward the two south east facing ground floor windows of this property, these windows are not the sole windows to provide light into these rooms and therefore there would be no significant adverse impact toward these rooms.
- 8.13 Although the proposal would result in new window openings to all elevations it is considered that the proposal would not have a significant adverse impact upon the amenities of the neighbouring properties with regards to overlooking or loss of privacy. The new window openings proposed to the front (north east) and rear (south west) elevations would provide similar views as existing. The views afforded from the new second floor windows to the rear (south west) elevation, although at a higher level, would give similar views as those from existing rear first floor windows. The new window openings to the side (south east) elevation would face the long rear garden space of 30 The Martlet, with adequate screening and distance to prevent overlooking. The windows proposed to the side (north west) elevation would face the side (south east) windows of no. 9 Radinden Drive and therefore a condition is recommended to obscure glaze these windows.
- 8.14 Whilst the proposed garage is located close to the boundary with no. 4 Fulmar Close, it is not considered to have a significant impact. Whilst the main body of the garage would rise 2.8m over the boundary, there is considered to be a sufficient distance between the garage and the garden space of no. 4 Fulmar Close to ensure no harmful loss of light, outlook or overshadowing. Due to the nature and positioning of the rear rooflights it is considered that their insertion will not have a significant adverse effect upon the amenities of the neighbouring properties.
- 8.15 The terrace area proposed to the rear of the property at first floor level, measuring 5.7 metres wide and 1.6 metres in depth, would be set in 4.5 metres from the north east side and 1.5 metres from the south west side with the addition of a 1.8 metre high obscure sand blasted privacy screen each side. The location of the terrace, set in from the sides and the reduced floor area (with privacy screens either side) would prevent any adverse overlooking or loss of privacy toward neighbouring properties. In terms of noise and disturbance as a result of the proposed terrace, it is considered that the siting and size of the terrace would not result in any significant disturbance or noise to warrant refusal of planning permission. The inclusion of the privacy screens on the plans is considered sufficient to mitigate against any overlooking or loss of privacy and should be retained by condition. The reduction in number and scale of the terrace area has

addressed the previous reason for refusal related to the previous application BH2014/02471 and the detrimental impact on neighbouring amenity.

9 CONCLUSION

9.1 The development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual amenity of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance.

10 EQUALITIES

None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) 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.
- 2) 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
Site Location & Block Plan	001		17 Feb 2015
Existing Floor Plans	002		17 Feb 2015
Existing Elevations	003		17 Feb 2015
Proposed Ground Floor Plan	004		17 Feb 2015
Proposed First & Second Floor Plan	005	C	09 Apr 2015
Proposed Front & Rear Elevation	006		17 Feb 2015
Proposed Side Elevations	007	C	09 Apr 2015
Proposed Street Scene	008		17 Feb 2015
Existing Garage Floor Plans & Elevations	009		17 Feb 2015
Proposed Garage Floor Plans	010		17 Feb 2015
Proposed Garage Elevations	011		17 Feb 2015

3. The windows in the north west elevation of the development hereby permitted shall not be glazed otherwise than with obscured glass 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.

4. Access to the second floor level flat roof hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5. Prior to the first occupation of the development hereby permitted the privacy screens to each side of the rear first floor level terrace shown on the drawings hereby approved shall be installed and thereafter permanently retained as such.

Reason: In order to protect adjoining properties from overlooking and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6. No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A – E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) 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 decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual amenity of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance.