

<b><u>No:</u></b>	<b>BH2017/00693</b>	<b><u>Ward:</u></b>	<b>Queen's Park Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>16 St Lukes Terrace Brighton BN2 9ZE</b>		
<b><u>Proposal:</u></b>	<b>Erection of single storey rear extension, alterations to fenestration and installation of flue pipe.</b>		
<b><u>Officer:</u></b>	Ayscha Woods, tel: 292322	<b><u>Valid Date:</u></b>	03.03.2017
<b><u>Con Area:</u></b>	Adjoining Queens Park	<b><u>Expiry Date:</u></b>	28.04.2017
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Caroline Wright 3 Dorset Place Brighton BN2 1ST		
<b><u>Applicant:</u></b>	Dr Garry Felgate And Ms Ramona Liberoff 1 Eco Vale London SE23 3DL		

Councillors Chapman and Barford have requested this application is determined by the Planning Committee.

## 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	-	-	28 February 2017
Block Plan	-	-	28 February 2017
Floor Plans Proposed	STLUK104-02	A	28 February 2017
Elevations Proposed	STLUK104-04	A	28 February 2017
Elevations Proposed	STLUK104-05	A	28 February 2017

- 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 front window in the north 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 Privacy screening of 1.8m in height shall be installed for the full length of the extension hereby permitted on the on the southern boundary with no. 187 Freshfield Road. The screen shall thereafter be permanently retained.

**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.

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 & APPLICATION DESCRIPTION**

- 2.1 The application site relates to a modest single storey dwellinghouse located to the south side of St. Luke's Terrace. The property forms a recent conversion of an ancillary store and garage. The modern development adjoins no. 14 St. Luke's Terrace to the west and 189 Freshfield Road to the east. The rear of the property is in close proximity to no. 187 Freshfield Road to the south. The application site adjoins the Queens Park Conservation Area.
- 2.2 Permission is sought for the erection of a proposed single storey rear extension, with alterations to the fenestration and the installation of a flue pipe.

## 3. **RELEVANT HISTORY**

BH2006/00601 - Conversion of ancillary store/garage to form a two bedroom single storey dwelling with new roof. (Resubmission of application **BH2005/01617/FP**). New external doorway and rooflights). Condition 2 of the planning permission granted, removed permitted development rights - Approved - 19/03/07

Pre-application advice was given in February 2017 and this subsequent planning application has addressed the previous concerns raised in advice the by way of reducing the height of the proposed chimney flue.

## 4. **REPRESENTATIONS**

### 4.1 **Neighbours**

One (1) letter has been received, objecting to the proposed development for the following reasons:

- Loss of light
- Overshadowing
- Overlooking
- Loss of privacy
- Encroaching and enclosing
- Noise disturbance

4.2 **Councillors Chapman and Barfield:** Object to the application (comments attached).

## 5. CONSULTATIONS

5.1 None.

## 6. MATERIAL CONSIDERATIONS

6.1 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

6.2 The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- 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 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## 7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

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

QD14 Extensions and alterations

QD27 Protection of amenity

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

## 8. CONSIDERATIONS & ASSESSMENT

8.1 The application site was granted planning permission in 2006 (**BH2006/00601** - Conversion of ancillary store/garage to form a two bedroom single storey dwelling with new roof. (Resubmission of application **BH2005/01617/FP**). New external doorway and rooflights). Condition 2 of the planning permission granted, removed permitted development rights.

The main considerations in the determination of this application relate to the impact of the proposed extension and alterations on the appearance of the property, the streetscene and wider area, and the amenities of adjacent occupiers.

**8.2 Design and Appearance:**

The application site is situated to the rear of 189 Freshfield Road and adjoins no. 14 St. Luke's Terrace. As existing the rear bedroom of the property projects beyond the rear wall of the lounge area. The proposal would project 2.015m from the lounge area to the depth of the existing rear building line of the rear bedroom. As existing the rear of the property measures 0.9m from the boundary of no. 187 Freshfield Road. The proposed extension would project to the same depth as the existing property and have an eaves height of 2.7m. Although the extension would result in the loss of some private amenity space, the modest proposal is not considered to be substantially large in depth or height and given the constraints of the size of the plot, the proposal is considered acceptable in this instance.

8.3 The roof of the extension would match the existing height of the roof pitch and the materials would also be tiled to match the existing. In addition the proposed extension walls would be rendered to match the existing. This is considered welcome, in line with Policies QD14 and SPD12.

8.4 As existing the property has a large amount of glazing to the lounge area at the rear, and patio doors from the rear bedroom. Given the large amount of existing glazing to the rear, it is considered that the proposed glazed sliding doors to the rear would not result in significant harm.

8.5 The proposal shows a new window to the front elevation which would be obscurely glazed, as was previously conditioned under planning permission **BH2006/00601**.

8.6 It is noted that the pre-application submission raised concerns regarding the height of the proposed wood burning stove flue pipe. The plans submitted have addressed this concern, and the flue would now be an acceptable height and feature in the streetscene.

8.7 In addition, the alterations to the front elevation are considered acceptable and would not harm the appearance of the building or that of the wider area, in accordance with policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance.

**8.8 Impact on Amenity:**

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.

- 8.9 The property would not project beyond the rear wall of the existing house. As such the extension would not significantly affect no. 14 adjoining to the west.
- 8.10 In addition, the proposed extension would be set away suitably within the plot and set away from the boundary of no. 189 to the south east by 4.5m. As such the modest proposal would not result in significant harm in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm has been identified.
- 8.11 The host property is situated on land sloping down to the south adjacent to the rear garden of no. 187 Freshfield Road. The proposed extension would match the building line and eaves height of the existing property measuring 0.9m from the boundary with no. 187 with an eaves height of 2.7m, and 2.9m in height relative to the garden level of no. 187. It is acknowledged that the extension would be close to the boundary, however given the nbhg existing arrangement on site, the proposed extension is not considered to be harmful enough to warrant refusal of this application.
- 8.12 It is noted that the host property has a rear decking area and the screening on the boundary with 187 measures 1.5m in height relative to the land level of the host property. The boundary screening measures 2.2m in height relative to the neighbouring land level at no. 187. A height of 1.8m screening from the host property is secured by condition to overcome concerns raised regarding overlooking and loss of privacy.
- 8.13 Concerns regarding a loss of light and overshadowing to the neighbouring occupiers has been raised. The property is located to the north of the no. 187 Freshfield Road and it is therefore not considered that the extension would impact on this.
- 8.14 In addition, given the existing constraints of the site, it is not considered that the modest extension would result in any further harm in terms of noise disturbance to the neighbouring properties.

## **9. EQUALITIES**

- 9.1 None identified.

