

<u>No:</u>	BH2017/01742	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	30 Roedean Crescent Brighton BN2 5RH		
<u>Proposal:</u>	Erection of a single storey rear extension, first floor rear extension & creation of lower ground floor room under existing rear terrace. Roof alterations to include raising ridge height to create additional floor, rear balconies, revised fenestration & associated works. Alterations include new landscaping, widening of existing hardstanding & opening with new front gates.		
<u>Officer:</u>	Charlotte Bush,	tel:	<u>Valid Date:</u> 31.05.2017
	292193		
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	26.07.2017
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Felce And Guy Partnership LLP Unit 5 English Business Park English Close Hove BN3 7ET		
<u>Applicant:</u>	Mr Wilkie 30 Roedean Crescent Brighton BN2 5RH		

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 and block plan	2719/01		22 May 2017
Elevations Proposed	2719/08	G	22 May 2017
Elevations Proposed	2719/09	G	22 May 2017
Elevations Proposed	2719/10	G	22 May 2017
Elevations Proposed	2719/11	G	22 May 2017
Sections Proposed	2719/12	G	22 May 2017
Sections Proposed	2719/13		31 May 2017
Floor Plans Proposed	2719/04	H	31 May 2017
Floor Plans Proposed	2719/05	H	31 May 2017
Floor Plans Proposed	2719/06	G	22 May 2017
Floor Plans Proposed	2719/07	G	22 May 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 No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.
Reason: This pre-commencement condition is imposed because it is necessary to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework and policy HE12 of the Brighton & Hove Local Plan.
- 4 No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) Samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) Samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) Samples of all hard surfacing materials
 - d) Samples of the proposed window, door and balcony treatments
 - e) Samples of all other materials to be used externally
- Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.
- 5 The first window in the western elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, 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.
- 6 No development above ground floor slab level of any part of the development hereby permitted shall take place until 1:20 scale elevational drawings and sections of the proposed vehicle gates along with any mechanical operating specifications have been submitted to and approved in writing by the Local Planning Authority.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

- 7 No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Class [es 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.

- 8 The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.

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. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application site is located along the south side of Roedean Crescent to the east of the junction with Roedean Path. The property has two storeys and is of a contemporary design with rendered elevations and a tiled pitched roof. The area is characterised by substantial detached houses in large plots of varying design.

3. RELEVANT HISTORY

BH2011/01153 - Erection of extension creating second floor level, alterations to rear forming balcony providing access to existing roof terrace. Refused 10/06/2011.

Appeal APP/Q1445/D/11/2158160 Allowed 21/09/2011

BH2008/03897 - Additional terrace in rear garden (Retrospective). Approved 2/02/2009.

BH2008/03754 - Replacement of existing garden fence panels with two walls (Retrospective). Approved 19/01/2009

BH2008/03724 - Alterations to balustrade of existing roof terrace (Retrospective). Approved 28/01/2009.

BH2008/03146 - Retrospective amendment to approved application BH2007/01725. Change of balustrade treatment to roof terrace, extended terraced areas plus swimming pool & walls within the garden. Withdrawn 29/10/2008.

BH2007/01725 - Front extension; side and rear extension (re-submission of refused application BH2007/00531). Approved 26/06/2007.

BH2007/00531 - "Turret" extension to front elevation; extension over garage and extension at rear. Refused 05/04/2007.

BH2005/01961/FP - First floor side extension over existing garage. Approved 17/08/2005.

4. REPRESENTATIONS

4.1 Nine (9) letters have been received objecting to the proposed development on the following grounds:

- No. 30 Roedean Crescent already looks directly into the rear gardens and rear rooms of Roedean Terrace. The proposed scheme with additional floors, balconies and windows will reduce privacy further, and increase noise and light disturbance.
- The design is top heavy, boxy and of unattractive design. It will be lower than NO.32, but that's because it was built too high.
- The proposed scale, bulk, height and raised siting would result in an overbearing and dominant impact to our Terrace properties and gardens on the south boundary, contrary to policy QD27 of the Brighton and Hove Local Plan.
- The context and scale of the proposal as per Brighton and Hove Local Plan policy QD14 does not take into account our 6 adjoining Roedean Terrace properties. The proposed extension will sit above the skyline when viewed from the public highway A259 and be a blight on the landscape.
- The prevailing topography of the area, sloping southwards, means that Roedean Terrace has to cope with a lot of surface runoff from the properties

to the North which has resulted in flooding of our properties. From weather predictions, this will only increase in future years and is exacerbated by high levels of hard standing.

- This property in question has already had an adverse effect on our Terrace properties causing major damp/flooding issues with our boundary wall/windows due to excavation soil piled up under them from the last retrospective planning application (albeit previous owners).
- The "Local Precedent" houses stated in the planning statement are all on large blocks of land so do not encumber each other as there is a road or very large garden area which separates them. Our historic Roedean Terrace Cottages are dwarfed in comparison.
- Plans for 30 Roedean Crescent show no screening by trees or foliage to protect privacy of neighbouring properties. If tree screening is to be established its location needs to be carefully considered so as not to cause any loss of daylight and sunlight to 4A Roedean Terrace and the workshops that back on the border of 30 Roedean Crescent and rely on daylight from their north facing windows.
- Considering whether the materials used are sympathetic to the parent building (Q014 d), this is a complete makeover with new zinc cladding, flat box roof, glass balconies, 8 new patio doors and new windows throughout. These materials bear little resemblance to the parent building and existing style.

4.2 One (1) letter has been received supporting the proposed development on the following grounds:

- The proposal is very similar to the design which was previously approved and so no different in terms of impact to the street scene. The choice to widen the driveway for two cars will also help in what is becoming a pinch point in the street for parking.

5. CONSULTATIONS

5.1 County Archaeology - Comments received on the 25/07/2017 in response to an archaeological study provided by the applicant

5.2 It is noted the application documentation has not met the requirements of Policy 128 of the NPPF. Nonetheless it is acceptable that the risk of damage to archaeology can be mitigated by the application of suitably worded planning conditions.

5.3 The proposed development is within an Archaeological Notification Area defining an area of prehistoric and Roman activity, including a significant number of human burials, one of which was found in the rear garden of this property. It is highly likely this burial and the others found in close proximity relate to a larger cemetery.

5.4 The applicant's heritage statement / assessment states: The Neolithic-Early Bronze Age burials found in the Study Area are particularly relevant to the Site, given that one was found within the boundary of the Site. The number of burials

suggests there may have been a burial ground in the area during this period, and there is a possibility of encountering more burials at the Site." With which we concur, unfortunately the assessment was not able to clarify the level of modern disturbance on the site by assessing recent building works or carrying out a site visit to assess topography / levels. It therefore must be assumed that archaeological remains survive and will be destroyed by the proposed works.

- 5.5 In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England):
- 5.6 In furtherance of this recommendation, we shall be available to advise the applicant on how they can best fulfil any archaeological condition that is applied to their planning permission and to provide a brief setting out the scope of the programme of works.
- 5.7 The written scheme of investigation, referred to in the recommended condition, will set out the contracted archaeologist's detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards (April 2015).
- 5.8 **County Archaeology - Original comments received on the 16/06/2017**
The HER records a prehistoric human burial was found in the back garden of this property in 1937 (prior to or during its construction) there is thus a risk that further burials exist.
- 5.9 The application is within an Archaeological Notification Area and therefore the applicant should have submitted heritage impact assessment in line with Policy 128 of the NPPF. This would provide us with the required information to provide the Local Planning Authority with an informed planning recommendation.
- 5.10 Also clarify the risk to the applicants, who we assume are unaware of this risk, which could (if planning was granted) incur them a significant cost in relation to archaeological mitigation.
- 5.11 The impact assessment should be drawn up by an archaeological consultant / contractor.
- 5.12 **Brighton and Hove Archaeological Society: Comment**
The Brighton and Hove Archaeological Society would suggest that you contact the County Archaeologist for his recommendations.

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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- 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. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP8 Sustainable Design

CP11 Managing Flood risk

CP12 Urban Design

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 main considerations in the determination of this application are whether the proposal is acceptable in terms of its design and appearance in relation to the existing building and surrounding area, and whether the proposal is appropriate in terms of its impact on the amenity of neighbouring properties.
- 8.2 The proposed scheme is a revision of application BH2011/01153 which was allowed under appeal APP/Q1445/D/11/2158160 on the 21/09/2011.
- 8.3 The existing dwelling is a two storey detached property located on the southern side of Roedean Crescent close to the junction with Roedean Path. The property has been subject to a number of planning applications which have resulted in a number of alterations to the property including a modern frontage with a central turret feature and terracing to the rear.

- 8.4 The Roedean Crescent area is characterised by substantial detached houses of varying designs set within large plots. Many have traditional designs with pitched roofs but, over recent years, there have been a number of approvals for modern redevelopments and extensions. The site slopes down steeply from north to south, and the garden to the site abuts a row of single storey workshops and then the rear gardens of Roedean Terrace.
- 8.5 **Design and appearance**
At the front of the property, the proposal includes widening the existing driveway to allow more off street parking, and the introduction of a 1.3m high bi-folding gate at the entrance to the drive, although the vehicular crossover would remain the same.
- 8.6 The pedestrian access would be moved to the centre leading to a stepped path to the main entrance.
- 8.7 The increased width of the driveway to allow 2 cars to be parked off street is considered acceptable and in-line with SPD14 guidance which allows for one parking space per property in the outer areas plus one for visitor parking.
- 8.8 The proposed alterations to the pedestrian access and vehicle gate are acceptable in principle. Further details of the gate design, materials and specifications would be secured by condition.
- 8.9 The most significant difference from the streetscene would be the removal of the existing roof and the creation of an additional level with a staggered roofline which at its maximum height would be 0.9m higher than the existing roofline. The prominent central 'turret' on the ground and first floors would be replicated on the additional level; and the additional storey would be stepped in from the side, front and rear elevations in order to reduce bulk and add visual interest.
- 8.10 The new roof extension would be finished in a dark grey zinc cladding. The existing timber cladding would also be removed and replaced with zinc cladding.
- 8.11 Eight additional windows are proposed on the front elevation, and the proposed and existing windows would be finished in grey uPVC.
- 8.12 To the rear, the area below the existing ground floor raised terrace would be excavated to create a den. The den will have a window facing out from under the terrace which will remain at the same height.
- 8.13 A single storey extension is proposed at the rear to adjoin an existing projection and would run across the remaining width of the rear elevation. The proposed addition would initially project 4.5m from the original rear building line (to be in-line with the existing projection), before curving back to 2.6m deep. The curved element of the extension would be finished in zinc cladding, and the remained in painted render to match the existing. The extension would have a maximum height of 3.4m high, with a balcony/ roof terrace above which would be access internally from 5 full height glass doors. External access to the first floor balcony is via a spiral staircase.

- 8.14 A first floor extension on the western side of the rear elevation above the existing kitchen is also proposed and would replace a section of the existing first floor roof terrace. The proposed extension will project 4.6m from the existing rear elevation to be in-line with the rear building line of the ground floor, and would feature full height glazed doors with Juliet balcony overlooking the garden, and a second set of doors to the roof terrace.
- 8.15 The proposed second storey addition would be stepped-in 1.3 meters from each side elevation; and 1.3m from the main rear building line, narrowing to 0.5m to allow for a projection with balconies either side. The proposed second storey is finished in zinc cladding and will feature areas of fenestration to take advantage of the views. The proposed balconies extend 4m from the side of the projection so that they are stepped-in 4.5m from the side elevations and will feature obscure glazed privacy screens to the side.
- 8.16 The scale and overall appearance of the proposed development from the streetscene is largely similar to the previous scheme which was approved under appeal APP/Q1445/D/11/2158160, although the proposed materials have been altered.
- 8.17 The proposed development would result in house of a similar scale to No. 32 Roedean Crescent, as well of several others on the street which is predominantly comprised of substantial 2 and three storey houses.
- 8.18 The proposed design and use of materials is considered to complement the contemporary appearance of the existing building.
- 8.19 The proposed development is considered to be in-keeping with the overall scale, character and appearance of the host property, neighbouring properties and the wider streetscene, and is therefore recommended for approval.
- 8.20 **Impact on amenity:**
The alterations to the front elevation are not considered to result in any additional overlooking, loss of privacy or reduced light to any of the neighbouring properties which are situated across the road and feature long front gardens which reduces the impact of any additional overlooking.
- 8.21 The proposed rear extensions and alterations are not considered to result in a significant loss of light or outlook; and there would be sufficient distance between the proposed additional storey and the two adjoining properties to ensure no significant overshadowing or loss of light towards, or loss of outlook from the adjoining properties.
- 8.22 The increased fenestration and proposed balcony at first and second floor level would provide clear views into the rear gardens of the two adjoining properties. However, it was evident on the site inspection that the gardens of the adjoining properties are already overlooked from the existing first floor rear windows and roof terrace, and the additional overlooking due to the proposed scheme is not considered to be of a level to warrant the refusal of this application.

8.23 The rear garden of the application site measures 23m and the rear wall abuts a row of workshops which lead onto the rear gardens of Roedean Terrace. The nearest windows to this row of properties are situated 37m away. It is therefore concluded that the gardens and windows to these properties are of a sufficient distance to not be adversely affected by the proposed development.

8.24 The proposed scheme is therefore not considered to result in any significant harm to neighbouring amenity, and is consequently recommended for approval.

8.25 **Landscaping**

External alterations include relocating the pool plant, extending the pool and reconfiguring the hard and soft landscaping. The proposed relocation of the pool plant and extending the pool are considered acceptable. Further details of the proposed hard surfacing would be secured by condition and an informative attached advising that any hard surfacing must be made of porous materials and retained thereafter.

9. EQUALITIES

9.1 None identified.