

<b><u>No:</u></b>	<b>BH2017/02732</b>	<b><u>Ward:</u></b>	<b>Withdean Ward</b>
<b><u>App Type:</u></b>	<b>Removal or Variation of Condition</b>		
<b><u>Address:</u></b>	<b>9 Hillside Way Withdean Brighton BN1 5FE</b>		
<b><u>Proposal:</u></b>	<b>Application for variation of condition 1 of application BH2016/06527 (Creation of roof extension with raised ridge height and rear dormers.) to allow amendments to the approved drawings.</b>		
<b><u>Officer:</u></b>	Ayscha Woods, 292322	tel:	<b><u>Valid Date:</u></b> 11.09.2017
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	06.11.2017
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	15.11.2017
<b><u>Agent:</u></b>	ADC Ltd 72A Beaconsfield Road Brighton BN1 6DD		
<b><u>Applicant:</u></b>	Mr M Twibill 9 Hillside Way Withdean Brighton BN1 5FE		

**1. RECOMMENDATION**

**GRANT** planning permission, subject to the following conditions and informatives:

Conditions:

- 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>
Email	NO CHANGES BELOW MAIN ROOF EAVES	-	17 October 2017
Location Plan	-	-	14 December 2016
Floor plans/elevations/sect proposed	ADC1014/01	-	14 August 2017

- The development hereby permitted shall be commenced before 7th April 2020.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.  
**Reason:** To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the 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. SITE LOCATION & APPLICATION DESCRIPTION**

2.1 The application site is comprises a two storey detached house located to the north side of Hillside Way.

2.2 Permission is sought for the variation of condition 1 of application BH2016/06527 (Creation of roof extension with raised ridge height and rear dormers) to allow amendments to the approved drawings which includes the installation of 1 rooflight to the front and 2 rooflights to the flat section of the main roof. .

## **3. RELEVANT HISTORY**

**BH2016/06527** - Creation of roof extension with raised ridge height and rear dormers - Approved - 07/04/17

**BH2016/02884** - Creation of roof extension with front rooflights and rear dormers - Refused - 22/09/16

## **4. REPRESENTATIONS**

4.1 Five (5) letters has been received, objecting to the proposed development for the following reasons:

- Raised ridge height out of character with surrounding area
- Loss of light
- Overlooking
- Loss of privacy
- Loss of view

## **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, 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. 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 approved scheme was granted (BH2016/06527) on 7 April 2017. The Local Planning Authority considered the scheme to be acceptable in all regards and secured various details and measures by planning conditions. Whilst this permission remains extant, it must be considered whether circumstances policy or practice has changed significantly since the time this decision was taken.

8.2 In this case it is considered that the policy context has not changed substantially in regard to the design and appearance and amenity issues. Overall it is considered that there is no justifiable reason to take a decision contrary to that made previously by the Local Planning Authority subject to an assessment that the changes are acceptable.

8.3 The considerations to be taken into account in this application solely relate to the changes to the variation of condition 1 of the previous permission.

### 8.4 **Proposed Variation of Condition 1:**

This application seeks to make the following amendments to application BH2016/06527:

- The addition of 1no. rooflight to the front roofslope and 2no. rooflights to the flat section of the roof.

### 8.5 **Design and Appearance:**

The proposed rooflights are considered suitable additions to the building that would not harm its appearance or that of the wider area, in accordance with

policy QD14 of the Brighton & Hove Local Plan and SPD12 guidance. In addition, it is noted that there are examples of rooflights to the front roofslope within the streetscene, including the neighbouring property no. 7 adjacent. As such, the rooflight to the front is considered acceptable.

**8.6 Impact on amenity:**

The impact of the proposed rooflights on the adjacent properties at 7 and 11 Hillside Way has been fully considered in terms of daylight, sunlight, outlook and privacy and following a site visit no significant harm has been identified.

**8.7 Other matters:**

Objections have been raised regarding the proposed raised ridge height and dormers on the grounds of overlooking, loss of privacy, loss of light, loss of view, and concerns that the proposal would be out of character with the surrounding properties. The raised ridge height and rear dormers were approved under the previous scheme (BH2016/06527). The ridge height approved, and rear dormers would not be altered under this scheme. It is considered that the proposed rooflights would not significantly alter the appearance of the approved scheme and would not result in a harmful impact on the character of the area. There would be no additional impact on the amenity of the properties adjacent to the front or rear.

**9. EQUALITIES**

9.1 None identified