

<u>No:</u>	BH2018/01854	<u>Ward:</u>	Patcham Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	33 Braybon Avenue Brighton BN1 8HH		
<u>Proposal:</u>	Erection of single storey rear extension.		
<u>Officer:</u>	Sven Rufus, tel: 292454	<u>Valid Date:</u>	08.06.2018
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03.08.2018
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Mr Alistair Dodd 72A Beaconsfield Road Brighton BN1 6DD		
<u>Applicant:</u>	Ms M Seale 33 Braybon Avenue Brighton BN1 8HH		

This proposal is being determined by Planning Committee as it is an officer linked application.

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
Block Plan Proposed	ADC977/LP		8 June 2018
Floor plans/elevations/sect proposed	ADC977/08	A	16 July 2018

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 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 Brighton & Hove City Plan Part One.
4. The privacy screen on the northern side of the terrace hereby approved shall be installed prior to first use and thereafter retained at all times.

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 is a semi-detached two-storey, Mock-Tudor property on the west side of Braybon Avenue.
- 2.2 The application seeks to erect a single storey rear extension with an area of decking beyond, and privacy screening to the side.

3. RELEVANT HISTORY

- 3.1 None

4. REPRESENTATIONS

- 4.1 One (1) letter has been received from a neighbour, objecting to the proposed development for the following reasons:
The 1.8m privacy screen would reduce light to the neighbours conservatory.
- 4.2 Subsequent to the objection above, the applicant in discussion with and with the agreement of, the objecting neighbour, reduced the height of the privacy screen to 1.4m. The neighbour objection was withdrawn by follow up comments and so there are no remaining objections.

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
 CP12 Urban design

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

SU10 Noise Nuisance
 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 relate to the design and appearance of the proposed extension, and the impact on the amenity of the neighbouring properties by the extension, terrace and privacy screen.

8.2 **Design and Appearance:**

The rear elevation of the existing property includes two structures at either side of the property, and separated by a narrow staircase from the internal ground floor level down to the garden level. The proposed extension would occupy the same footprint as the existing structures in terms of depth and width, while removing and enclosing the space currently occupied by the staircase.

8.3 The new structure would include a new roof over the entire width of the extension which would be a continuation of the existing roof over the southern element of the existing structures at the rear of the property. While this would result in the roof being higher than at present over the majority of the width of the property, the unified and continuous roof form here would create a more coherent appearance to the rear elevation and is considered as an acceptable alteration.

8.4 The proposed rear extension, by occupying the same footprint would, notwithstanding the additional height on the roof, be substantially similar in terms of scale, to the existing structures. It is considered that the proposed design would enhance the appearance of the rear of the property by creating a single structure in place of the separate and mismatching existing elements.

- 8.5 **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.
- 8.6 The rear terrace beyond the proposed extension would provide potential impact on the amenity of the neighbours to the north, in 35 Braybon Avenue, to which the application site is attached as part of a semi-detached pair. Rear terraces can provide dominant views over neighbouring gardens as a result of the elevated position, and consequently can be harmful to the amenity of neighbours through overlooking and loss of privacy. In this case, the views from the proposed terrace would differ little from views currently possible from the rear windows of the existing structures at the rear of the application site. Therefore, from this perspective the harm to amenity of the terrace is considered to be acceptable.
- 8.7 In order to reduce overlooking into the rear windows of the neighbouring property, the applicant included a 1.8m privacy screen in the original application. This would have been excessive in height and would have resulted in a loss of light to the neighbouring property, which was reflected in the objection received from that address. Following this objection, and in discussion and agreement with the neighbours, the height of the screen has been reduced to 1.4m, and the neighbour objection has been withdrawn.
- 8.8 A privacy screen of 1.4m retains the potential for overlooking from the terrace towards the neighbouring property, but in light of the agreement by the neighbours, it is not considered reasonable to refuse the privacy screen at a height of 1.4m on this basis.

9. EQUALITIES

- 9.1 None identified.