

<u>No:</u>	BH2018/02638	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	4 The Park Rottingdean Brighton BN2 7GQ		
<u>Proposal:</u>	Remodelling of existing property incorporating a single storey side extension and creation of a first floor		
<u>Officer:</u>	Sven Rufus, tel: 292454	<u>Valid Date:</u>	20.08.2018
<u>Con Area:</u>		<u>Expiry Date:</u>	15.10.2018
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Miss Asia Jedrzejec 79 Stanford Avenue Brighton BN1 6FA		
<u>Applicant:</u>	Mr & Mrs Knight c/o Agent		

This application has been called to Committee by Councillor Mary Mears.

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 **REFUSE** planning permission for the following reasons:

1. The existing street scene is characterised by bungalows and two storey dwellings of traditional design and pitched roof forms. Whilst a contemporary design style is not resisted as a principle, the proposed remodelled dwelling would significantly increase the bulk of the existing dwelling, forming a flat roof two storey appearance. The existing bungalow is set close to the side boundaries of the site and to the neighbouring dwellings to either side. Some relief is provided to this arrangement by the spacing above the hipped roof of the bungalow; this spacing would be substantially reduced by the additional bulk of the flat roof two storey form proposed, resulting in a cramped appearance. Overall it is considered that the proposed dwelling design, due to its bulk and flat roof form, and loss of spacing from the side boundaries and dwellings to either side, would result in an incongruous and cramped appearance to the detriment of the street scene. The proposed development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan which states that extensions and alterations to existing buildings will only be granted where the proposed development is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area, and takes account of the existing space around buildings.
2. The existing bungalow has a hipped roof form which means that the bulk of the roof directly alongside the side boundaries of the site is significantly lesser than that which is proposed. The proposed dwelling design, being two storeys in height with a flat roof form would result in a significantly increased bulk when viewed from the neighbouring properties to either side and would have an enclosing and overbearing impact upon the occupiers of these

properties. Furthermore, the proposed full height glazing at ground and first floor level to the rear of the property would result in significantly increased overlooking towards neighbouring properties and gardens and would reduce the sense of privacy for neighbouring occupiers. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan which state that planning permission will only be granted for proposals which would not result in significant noise disturbance or loss of privacy, outlook, daylight / sunlight or amenity to neighbouring properties.

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. This decision is based on the drawings received listed below:

Plan Type	Reference	Version	Date Received
Floor Plans Proposed	1013-P-104-A		20 August 2018
Elevations Proposed	1013-P-105-A		20 August 2018
Elevations Proposed	1013-P-106-A		20 August 2018
Roof Plan Proposed	1013-P-108-A		20 August 2018
Location and block plan	1013-P-101-A		20 August 2018

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The Park is a circular road with a central green. The dwellings which face on to the green are of varying designs, however there is a consistency of character provided by the fact that all of the dwellings are of traditional design and form, with pitched roof forms. Whilst many of the dwellings are sited close to one another with limited spacing from their side boundaries, visual relief is provided by the spacing above the pitched roofs of the dwellings and this results in the street scene retaining a character which is not unduly cramped, which in conjunction with the set back of the dwellings from the highway and the central green retains the spacious character associated with such suburban locations.
- 2.2 The application property is a rendered, detached bungalow on the south west side of The Park. To the east of the site is a pair of semi-detached bungalows with barn-end roof forms. To the west is a detached bungalow with a gable-end roof form. As is typical of the street scene, the spacing above these roof forms provides relief and spacing in the street scene arrangement as the dwellings themselves are sited close to their side boundaries.
- 2.3 Under application BH2018/00474 a scheme was proposed which was similar in nature to the current proposal. A two storey appearance with curved features and full height glazing to the rear at ground and first floor was proposed. This scheme was refused on the grounds that the bulk and flat roof form of the dwelling would be out of keeping with the character of the street scene. Furthermore the bulk was considered to cause a harmful impact upon

neighbouring amenity along with increased overlooking from the proposed full height glazing.

- 2.4 Following this decision, a duplicate application was submitted, ref. BH2018/01360. The council declined to determine a duplicate submission under Section 70B of the Town and Country Planning Act 1990 (as amended), as the council had already set out their position in the refusal of the first application, and the applicant had the right of appeal should a second opinion of the scheme be sought.
- 2.5 Following this decision, the applicant engaged in pre-application discussions on a revised proposal which represented an improvement over the previous scheme in that it did retain an element of a pitched roof form; however side gables were proposed along with large flat roof block forms at first floor level to front and rear. The concerns raised at the time of the previous application regarding loss of spacing to the side boundaries of the site and impacts upon neighbouring amenity had not therefore been successfully addressed.
- 2.6 It was suggested that the applicant explore design options which comprise traditional pitched roof forms which would be more in keeping with the street scene.
- 2.7 This advice has not been followed, as the current application returns to the design style of the original proposal, of flat roof two storey form; a design which the council has previously confirmed is not appropriate due to the relationship of the site with neighbouring properties to either side and the character of the wider street scene. Furthermore a significant increase in bulk is still proposed along with full height glazing to the rear of the property which the council has previously confirmed would cause harm to the amenity of neighbouring properties to either side.

3. RELEVANT HISTORY

BH2018/01360: Remodelling of existing property incorporating single storey side extension, enlargement of roof to create a first floor, rear facing juliette balcony and other associated works. (Not proceeded with - 24/5/18)

BH2018/00474: Remodelling of existing property incorporating single storey side extension, enlargement of roof to create a first floor, rear facing juliette balcony and other associated works. (Refused 25/4/18)

4. REPRESENTATIONS

- 4.1 Two (2) letters have been received from the immediate neighbours, objecting to the proposed development for the following reasons:
- It is substantially the same as previous refused scheme
 - Increase in bulk
 - Harms the appearance and character of the building.
 - Supporting information/examples of other art deco buildings in the area relate to Saltdean, not Rottingdean.

- Increased height and proximity to the boundary will result in loss of light to rooms including main habitable rooms.
 - Side extension reduces gap between houses to 70cm.
 - Harmful to amenity.
 - Potential parking issues.
 - Out of character for the area.
- 4.2 Thirty nine (39) letters have been received (3 from other residents of The Park, but not directly affected by the development; 8 from other addresses in Rottingdean; 13 from elsewhere in Brighton and Hove; 11 from East and West Sussex; 4 from the rest of the UK) supporting the proposed development for the following reasons:
- Good design, will improve the area.
 - Better than what could be done under permitted development
 - Sustainable design
 - Not higher than other properties on The Park
- 4.3 A letter has been submitted by Councillor Mary Mears supporting the application and requesting that the application be determined by the Planning Committee should refusal be recommended. A copy of this letter is attached.

5. CONSULTATIONS

5.1 Rottingdean Parish Council: Objection

Reasons:

- Inappropriate Height of Development
- Poor design
- Residential Amenity

The RPC planning sub-committee remain of the view that the proposals (which were previously objected to) remain out of step with the rest of this residential area. While understanding the applicants' reasons for enhancement, Parish Cllrs feel this needs to be challenged for the following reasons:

1. Out of scale and character in terms of appearance to the rest of the road particularly as properties all face each other in a fairly uniform ring.
2. Does the proposed property due to the increase in size and height affect the light and overlook the neighbouring properties?
3. The proposed new house will have completely different materials and be out of keeping with the original design for the The Park.

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 main considerations in the determination of this application relate to the appearance of the proposed development and the impact of the development on amenity of neighbours.

8.2 **Design and Appearance:**

As detailed above, The Park is a circular road with a central green. The dwellings which face on to the green are of varying designs, however there is a consistency of character provided by the fact that all of the dwellings are of traditional design and form, with pitched roof forms. Whilst many of the dwellings are sited close to one another with limited spacing from their side boundaries, visual relief is provided by the spacing above the pitched roofs of the dwellings and this results in the street scene retaining a character which is not unduly cramped, which in conjunction with the set back of the dwellings from the highway and the central green retains the spacious character associated with such suburban locations.

- 8.3 The application property is a rendered, detached bungalow on the south west side of The Park. To the east of the site is a pair of semi-detached bungalows with barn-end roof forms. To the west is a detached bungalow with a gable-end

roof form. As is typical of the street scene, the spacing above these roof forms provides relief and spacing in the street scene arrangement as the dwellings themselves are sited close to their side boundaries.

- 8.4 A previous scheme, of a similar nature to that now proposed, was refused planning permission as the two storey flat roof form proposed would appear out of keeping with the street scene and would result in the loss of the spacing above the existing hipped roof form, resulting in a cramped arrangement.
- 8.5 The current proposal would have a very similar visual impact. The proposal does not address the concerns raised at the time of the refusal of the previous application. Whilst the proposed dwelling design, considered in isolation, is considered to be of a good standard, it is not appropriate for this site, would appear out of keeping in the street scene and would again result in a cramped arrangement.
- 8.6 The proposed design would replace the existing pitched roof with a flat roof structure, incorporating different levels to the front and rear sections. The flat roof design proposed is out of character with the prevailing style of every other building on the street. The Park is a location in which due to the properties being arranged as a circus, in a circular form around a central open green, with every house being mutually highly visible to every other house. While there is a wide variety of different building styles and sizes on the Park, every building is characterised by some form of traditional pitched roof. The proposed flat roof on the application site would diminish this defining uniformity.
- 8.7 The proposed front elevation would incorporate a new first floor with the side walls coming to full height at the position of the existing outside walls of the property. A proposed single storey side extension on the north west side of the property would be set back from the front elevation. The proposed flat roof over the entire footprint of the property results in the proposed scheme having a substantial increase in bulk, with no softening of the impact that a pitched roof would offer.
- 8.8 The two side elevations are windowless. The South East elevation is built full height in close proximity to the boundary of the site. This boundary is currently partially screened by vegetation from the neighbours. The proposed development would bring the side elevation substantially higher than the boundary feature, and it is considered that a large blank wall in close proximity to the property would appear overbearing to the neighbouring perspective.
- 8.9 The North West elevation is part one- part two-storey, with the single storey element being built up to the boundary with the neighbouring property. The two storey element is mainly built over the existing footprint, but has a section at the front that comes closer to the boundary than at present. It is considered that the proposed extension and increased height to the first floor level would detrimentally impact on the appearance of the property from the perspective of the neighbours to that side.

- 8.10 The single storey side extension would result in the loss of any separation of the application property from the neighbouring property alongside. While there is a garage built against that boundary at present, this is set further back than the proposed side extension, and is not adjacent to either building. The current arrangement does not result in a loss of separation. It is considered that the proposed scheme would cause harm to the street scene by closing the gap between buildings and altering the relationship between the properties.
- 8.11 It is considered that the overall impact of the proposed enlargements would be excessive in comparison to the existing building, and of a design which would be harmful to the appearance of the property, and detrimental to the street scene as a whole. For the reasons set out above, the proposed development is considered to be contrary to policy QD14 of the Brighton and Hove Local Plan.
- 8.12 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.
- 8.13 The single storey element of the proposed scheme would extend the building to the boundary shared with 5 The Park. The height of the proposed extension would be at eaves height for the neighbouring building, and a gap of 0.7m would remain between the buildings. It is acknowledged that the proposed extension would impact on the outlook and amenity of the neighbours, however the degree of impact is not considered to be substantial enough to warrant refusal on this basis alone.
- 8.14 The increased height of the two storey element, while set back from, the boundary and following the existing footprint of the property, would result in a substantial increase in bulk and height close to the boundary and the neighbouring property, which would impact on the outlook and sense of enclosure to the occupants of 3 The Park.
- 8.15 The rear elevation includes large areas of new full height glazing at first floor level. It is considered that the outlook from the full height windows would result in an unacceptable potential for overlooking and consequent loss of privacy to neighbouring properties on The Park, and to a lesser extent properties on Grand Crescent and Lehman Road West. This impact is increased by the elevated position of the application property relative to the rear gardens of neighbouring houses, and to the houses to the rear.
- 8.16 For the reasons set out above, it is considered that the proposed development would be harmful to the amenity of neighbouring properties, and as such is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

8.17 Sustainability:

Installation of solar panels is in general a welcomed addition, however in this case solar panels do not outweigh the harm which the development would cause.

9. EQUALITIES

9.1 No implications identified.