

<u>No:</u>	BH2020/01365	<u>Ward:</u>	Moulsecoomb And Bevendean Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	55 Baden Road Brighton BN2 4DP		
<u>Proposal:</u>	Erection of two storey side extension with extension of roof above.		
<u>Officer:</u>	Steven Dover, tel:	<u>Valid Date:</u>	19.05.2020
<u>Con Area:</u>		<u>Expiry Date:</u>	14.07.2020
<u>Listed Building Grade:</u>		<u>EOT:</u>	14.08.2020
<u>Agent:</u>	PB Plans Ltd 26 Windermere Road Coulsdon CR5 2JA		
<u>Applicant:</u>	Christine Verjee 55 Baden Road Brighton BN2 4DP		

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 Plan	PBP1308/03		19 May 2020
Block Plan	PBP1308/03		19 May 2020
Proposed Drawing	PBP1308/02		26 June 2020
Proposed Drawing	PBP1308/05		17 July 2020

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. A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.
4. 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.

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. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
3. The property is currently registered as a private dwelling classed as C3 and no change of use is proposed as part of the current application, therefore if the property was intended to be used as an HMO at any point in the future planning approval would be required.

2. RELEVANT HISTORY

None

3. CONSULTATIONS

3.1. Sustainable Transport: No Objection.

No objection to loss of garage due to retention of crossover and hardstanding area at rear. However, two cycle spaces should be provided for the property to meet policy requirements.

4. REPRESENTATIONS

- 4.1. **Fourteen (14)** total letters have been received, **five (5)** of which were repeat comments from the same person. Therefore, a total of **nine (9)** representations objecting to the scheme.

Original scheme:

- 4.2. **Five (5)** unique letters have been received objecting to the proposed development on the following grounds:

- Potential use as student house/HMO (house in multiple occupation)
- Noise increase through potential use as HMO
- Traffic increase through potential use as a HMO
- Overdevelopment as too many HMO in area
- Effect on property values if changes to a HMO
- Extension at first floor would affect views.

Amended Scheme:

- 4.3. **Four (4)** unique letters and five (5) repeat letters have been received objecting to the amended proposed development on the following grounds:

- Potential use as student house/HMO (house in multiple occupation)
- Noise increase through potential use as HMO
- Traffic increase through potential use as a HMO
- Overdevelopment as too many HMO in area
- Effect on property values if changes to a HMO
- Extension at first floor would affect views and overlooking.

5. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

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

CP10 Biodiversity

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

SPD11 Nature Conservation & Development

6. CONSIDERATIONS & ASSESSMENT

- 6.1. The main considerations in the determination of this application relate to the impact of the proposed development on the appearance and character of the building, the wider streetscene, and the amenities of adjacent occupiers.
- 6.2. The application relates to a two-storey, end-of-terrace property located on the western side of Baden Road. Planning permission is sought for the erection of a two-storey side extension, with pitched roof extension above.

Design and Appearance

- 6.3. During the application process the agent was requested to make alterations to improve the visual appearance of the scheme in the public realm. Amended plans were submitted on the 26th of June inserting windows into the proposed flank wall facing onto Eastbourne Road, improving the appearance and detailing by visually breaking up a large area of proposed brickwork.

- 6.4. Neighbours were reconsulted on the amended plans to 15 July 2020.
- 6.5. The proposed side extension would be constructed in brick with painted render to match the existing dwelling. The new roof would be hip ended with concrete red tiles to match the existing. The new fenestration would be constructed in white UPVc to also match the existing.
- 6.6. The two-storey extension design is would appear subordinate to the host property as it would be set back from the existing front elevation, the new ridge height would be lower, and the eaves would run at the same height. The new windows would match the existing in style and material, with the extra windows on the proposed flank wall providing visual interest on the elevation that is presented to the public realm on Eastbourne Road.
- 6.7. The removal of the existing garage is not considered detrimental to the appearance of the property, as it provides no architectural merit. .
- 6.8. Overall, the proposed extensions are deemed a suitable design that would substantially increase the utility of the dwelling for the existing and future occupiers with no adverse effect on visual amenity. Schemes of a similar nature have been built on the neighbouring property opposite at number 92 Baden Road, which is also a corner plot and has two storey side extension. The proposal is not considered to be out of keeping of development in the wider area.
- 6.9. Therefore, the proposed extensions and works are considered to be a suitable addition 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.

Impact on Amenity

- 6.10. The position of the extension and new roof design to the side and set back from the boundary, would not lead to any increased overlooking or substantial harm to the privacy of neighbouring properties in excess of the existing situation.
- 6.11. The location at the side of an end of terrace and separated from adjacent properties would lead to no loss of light, or outlook to surrounding properties. The visual amenity in the public realm would suffer no substantial harm as the extension relates well to the host property and would not appear incongruous, with an appropriately designed finish to the row of terraced properties.
- 6.12. Therefore, it is not considered that the proposed extension and works would cause any significant harm to amenity, in accordance with Policy QD27 of the Brighton & Hove Local Plan.

Other Matters

- 6.13. An off-street parking area would remain, albeit reduced, as would the dropped kerb providing access. The Local Highway Authority has raised no objection to

the proposal, due to the retention of the crossover and off-street parking area. However, cycle storage for two bikes is requested to meet planning policy requirements for sustainable transportation provision. Although the requested cycle spaces have been shown on the supplied plans it is not considered reasonable to condition the provision of these facilities as the application is for the extension of an existing property - not to create a new residential unit.

- 6.14. All the comments received raised concerns that the extended property could be used as an HMO (House in Multiple Occupation) for students, and the potential negative effects of that use.
- 6.15. The Council has been aware of concerns of this type for a considerable period and introduced a citywide 'Article 4 Direction' on 3 June 2020, while in this area it was introduced on the 5th April 2013. This removes 'permitted development' rights and means that a planning permission is required to change the use of a single dwelling house (defined as C3) to a property lived in by between three and six people where facilities such as a kitchen or bathroom are shared (C4 use class).
- 6.16. The property is currently registered as a private dwelling in planning use class C3 and no change of use is proposed as part of the current application. If the property was intended to be used as an HMO at any point in the future, a planning permission would be required. An informative will be attached to advise the applicant of this fact.
- 6.17. Since November 2019 the Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

7. EQUALITIES
None identified

