

<b><u>No:</u></b>	<b>BH2021/00320</b>	<b><u>Ward:</u></b>	<b>Withdean Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>56 And 58 Barn Rise Brighton BN1 5EE</b>		
<b><u>Proposal:</u></b>	<b>Remodelling of existing dwellings incorporating ground floor and first floor extensions to create an additional storey, side rooflights, front balconies &amp; rear terraces at first floor level, landscaping with associated alterations.</b>		
<b><u>Officer:</u></b>	Sam Bethwaite/Maria Seale	<b><u>Valid Date:</u></b>	29.01.2021
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	26.03.2021
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	12/7/21
<b><u>Agent:</u></b>	John Whiting Architect 14 Bates Road Brighton BN1 6PG		
<b><u>Applicant:</u></b>	Mr Santino Sarri 9 The Beeches Brighton BN1 5LS		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	1802/P/001	A	15 April 2021
Proposed Drawing	2009/P/101	A	15 April 2021
Proposed Drawing	2009/P/102	A	15 April 2021
Proposed Drawing	2009/P/103	A	15 April 2021
Proposed Drawing	2009/P/104	A	15 April 2021
Proposed Drawing	2009/P/201	A	15 April 2021
Proposed Drawing	2009/P/202	A	15 April 2021
Proposed Drawing	2009/P/203	A	15 April 2021
Proposed Drawing	2009/P/204	A	15 April 2021
Proposed Drawing	2009/P/205	A	15 April 2021

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 above ground floor slab level of any part of the development hereby permitted shall take place until details 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) details of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) details of all cladding to be used, including details of their treatment to protect against weathering
- c) details of all hard surfacing materials
- d) details of the proposed window, door, balcony and terrace treatments
- e) details 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 policy QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

4. The bottom half of the first floor windows in the north west and south east elevations of the development hereby permitted shall not be glazed otherwise than with obscured glass 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.

5. Prior to the use of the rear terraces hereby approved the screening on the north west and south sides east sides of the terraces shall be fully installed and thereafter permanently retained.

**Reason:** To protect the amenity of the neighbour and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6. 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.

7. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

**Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

8. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan and SPD14: Parking Standards.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed in the elevations of the re-modelled dwellings hereby approved without planning permission obtained from the Local Planning Authority.

**Reason:** To safeguard the amenities of the occupiers of nearby properties and the visual amenity of the area to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton and 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.

## **2. SITE LOCATION**

- 2.1. The application site is a semi-detached pair of bungalows located on the north side of Barn Rise, to the south side of Barn Rise is a park. The properties are not within a conservation area or in the vicinity of any Listed Buildings. The bungalows are approximately 2m above the level of the public highway with the rear of the site sloping very steeply up to a rear access track for the properties fronting Copse Hill. The properties are accessed via steps up from the public highway. Approximately half of the rear garden area is not readily assessable as a result of the very steep gradient.

## **3. RELEVANT HISTORY**

- 3.1. BH2019/03601 (land adjacent to 58 Barn Rise) - Erection of single storey rear extension with roof terrace, privacy screen and associated landscaping. - Approved
- 3.2. BH2018/03563 (land adjacent to 58 Barn Rise) - Erection of single three-storey dwelling plus accommodation in roof. - Approved

## **4. APPLICATION DESCRIPTION**

- 4.1. The proposal is to remodel both bungalows into modern houses which would mirror each other in appearance. A first floor would be created that would accommodate the kitchen and living room. There would be a rear terrace

accessed from the first floor and from the ground floor via external steps. The rear garden would be terraced with steps providing access to the different levels. The ground floor would be redeveloped with a single storey rear extension, on top of which the first floor terrace would be positioned. The ground floor would accommodate four bedrooms, two with en-suite facilities and a bathroom. Stepped access would remain at the front of the site but would be reconfigured with a bin and cycle store created at street level.

- 4.2. The external finishes of the proposed houses would be composite cladding and zinc to the front, fibre cement slate cladding to the rear, fibre cement slate cladding and render to the sides with a fibre cement slate tiled roof. The windows and doors would be polyester powder coated aluminium units.
- 4.3. The application was amended during the consideration process. It was originally submitted with accommodation at roof level and garden rooms at the rear of the site that would have had vehicle parking above. These elements were removed.

## **5. REPRESENTATIONS**

- 5.1. Eleven (**11**) letters received, objecting to the original proposal for the following reasons:
  - Overlooking
  - Loss of light
  - Reduction in privacy
  - Noise disturbance
  - Overdevelopment
  - Development would be out of keeping
  - Adversely affect highway safety
  - Increased vehicle traffic
  - Increased vehicle traffic to the rear of Copse Hill
  - Increased rainwater runoff
  - Detrimental impact on local wildlife
  - Restrict views of the green
- 5.2. As described above the application was amended with a subsequent re-consultation taking place. Responses were as follows.
- 5.3. Ten (**10**) letters received, objecting to the amended proposal for the following reasons:
  - Development would be out of keeping
  - Loss of light
  - Increased vehicle traffic
  - Increased vehicle traffic to the rear of Copse Hill
  - Increased rainwater runoff
  - Overshadowing
  - Overlooking
  - Overdevelopment
  - Development could cause damage to surrounding properties
  - Reduction in privacy

- Noise disturbance

## 6. CONSULTATIONS

### 6.1. Sustainable Transport: No objection

Bin and cycle store welcomed. Questions were raised about the originally proposed vehicle parking to the rear of the site with further information requested. This became unnecessary as this element of the proposal was removed.

## 7. MATERIAL CONSIDERATIONS

7.1. 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

7.2. 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);
- Shoreham Harbour JAAP (adopted October 2019).

7.3. 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.

## 8. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design
CP14	Housing density

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

TR7	Safe Development
TR14	Cycle access and parking
QD14	Extensions and alterations
QD15	Landscape design
QD27	Protection of amenity

### 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. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM20	Protection of Amenity
DM21	Extensions and alterations

### Supplementary Planning Documents:

SPD12	Design Guide for Extensions and Alterations
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## **9. CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of the development, the impact of the proposed development on the appearance and character of the site, the wider street scene and the amenities of adjacent occupiers.

### **Principle of Development:**

- 9.2. There is no objection in principle to extending and modernising the existing pair of semi-detached bungalows. The proposed scheme seeks to increase the usable space of the site by landscaping the rear garden to provide easier access, this is welcomed.

### **Design and Appearance:**

- 9.3. Policies QD14 of the Brighton & Hove Local Plan, and CP12 of City Plan Part 1 seek to ensure development proposals are well designed, sited and detailed in relation to the property, adjoining properties and to the surrounding area.
- 9.4. The proposal (as amended) is considered to comply with such policies.
- 9.5. Barn Rise has a relatively varied type and character of properties, with houses, bungalows and chalet bungalows of varied designs. This can be seen in the immediate context of the application site, with a modern styled house to the north west at 58A Barn Rise, and a bungalow with mock Tudor detailing to the south east at 54 Barn Rise. Accordingly, the conversion of the existing bungalows into houses is considered to be appropriate in principle.
- 9.6. The proposed houses would have a contemporary design with modern detailing such as large areas of glazing and composite cladding. They would be somewhat different to the existing prevailing aesthetic but would not jar with the surrounding scale or mix of properties. The open character of the street, with the park to the south side and the varied design of the properties along Barn Rise means the site has the ability to accommodate modern design in principle. The

proposed architectural style with pitched roofs is appropriate and the proposed materials suit the contemporary approach. Accordingly, in this instance the proposed design of the houses is considered to be acceptable.

- 9.7. At present there is a relatively large drop in ridge height between the neighbour to the north west at 58A Barn Rise, and the application site because the former has accommodation at roof level. The proposed redevelopment of 56 & 58 Barn Rise would ease the transition of ridge heights between the house to the north west and the bungalow to the south east.
- 9.8. A condition requiring details of the proposed external finishes has been attached to ensure a satisfactory appearance of the development and to comply with Policy QD14 of the Brighton and Hove Local Plan (retained policies March 2016) and policy CP12 of the Brighton & Hove City Plan Part One. In addition, permitted development rights for further dormer windows/windows is to be removed by condition in the interests of visual amenity.

**Impact on Amenity:**

- 9.9. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part 2 (which can be given significant weight) state 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. Policy QD14 also seeks to protect residential amenity.
- 9.10. The proposal (as amended) is considered to comply with these policies.
- 9.11. The impact on the adjacent properties at 58A & 54 Barn Rise and 43, 45, & 47 Copse Hill and 1 Highbank has been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit that took place after completing a covid-19 risk assessment, and no significant harm has been identified.
- 9.12. To the south east of the site is 54 Barn Rise. The north facing windows would experience a reduced sense of outlook as a result of the increased height proposed and the proximity of the properties. The level of this impact is, however, considered to be insignificant given the existing outlook is minimal and the space between the properties is not being reduced.
- 9.13. The proposed rear extension would be 2.7m from the shared boundary. Given the significant boundary wall that exists between the sites, the proposed rear extension would not result in any significant reduction in outlook from the rear of no.54 or be overbearing.
- 9.14. The terrace proposed above the rear extension would have a privacy screen secured by condition, to be installed prior to it coming into use. This will control overlooking and mean the impact on privacy would be acceptable. There would be external access steps for the terrace close to the shared boundary, but these would not create a platform of a size conducive to any sort of prolonged use, and the existing boundary wall would also restrict views.

- 9.15. A first floor side window is proposed in the south elevation of the development. A condition would require them to be obscurely glazed to prevent views across the rear gardens of the properties to the south including no.54.
- 9.16. To the north west of the site is 58A Barn Rise. This property has a ground floor, south facing window that would receive reduced sunlight as a result of the increased height of the proposed development. This window serves an open plan living space which is served by other windows, including large screen doors to the front elevation. As a result, any reduction in light to the side elevation window is not considered so significant as to warrant refusal of this application.
- 9.17. The proposed rear extension would be adjacent to a broadly similar extension at no.58A. It would be 2.3m away from the shared boundary and 3.3m away from the neighbouring extension. The proposed extension would not have a significant overbearing impact on no.58A, or result in overshadowing so significant as to warrant refusal of the application.
- 9.18. The terrace proposed above the rear extension would have a privacy screen that will be conditioned to be installed prior to it coming into use. This will control overlooking and result in an acceptable impact on privacy. There would be external access steps for the terrace close to the shared boundary. These would not create a platform of a size conducive to any sort of prolonged use.
- 9.19. A first floor side window is proposed in the north elevation of the development. This will be conditioned to be obscurely glazed to prevent views into adjacent windows at no.58A.
- 9.20. Permitted development rights for any further windows/dormers will be removed by condition.
- 9.21. To the rear of the site are properties fronting Copse Hill and Highbank. The proposed increase in height would not result in the ridge of the proposed houses being higher than the rear boundary of the site. As a result of this and the separation between the properties the proposed development is not considered to have any significant amenity impacts on these neighbouring properties.

**Sustainable Transport:**

- 9.22. A secure cycle store is proposed to the front of the site and this is welcomed and would be secured by condition.

**Other Considerations:**

- 9.23. 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.

**10. COMMUNITY INFRASTRUCTURE LEVY**

- 10.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020.
- 10.2. It is estimated that the amount of CIL liability for this application is £30,628.02. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

**11. EQUALITIES**  
None identified

