

<u>No:</u>	BH2021/02376	<u>Ward:</u>	Withdean Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	2 Blackthorn Close Brighton BN1 5BS		
<u>Proposal:</u>	Erection of additional storey with associated alterations.		
<u>Officer:</u>	Jonathan Pennick, 292138	tel: <u>Valid Date:</u>	29.06.2021
<u>Con Area:</u>		<u>Expiry Date:</u>	24.08.2021
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Mr Jon Andrews Ltd Chilcote Threals Lane West Chiltington West Sussex RH20 2RF		
<u>Applicant:</u>	Mr John Boothby 2 Blackthorn Close Brighton BN1 5BS		

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 and block plan	527/06		29 June 2021
Proposed Drawing	527/04		29 June 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. The external finishes of the development hereby permitted shall match those stated on the submitted application form and approved plans.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.

4. 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.

5. The first floor windows in the southern elevation, and all of the windows in the northern elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, 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.

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. APPLICATION SITE

- 2.1. The application site is located at the southern end of Blackthorn Close, a verdant residential cul-de-sac located on a hill in Withdean, with a broad housing mix. To the north of the site is a pair of two storey, semi-detached properties, while to the east is a two storey, detached hipped property. There are large, detached properties on Withdean Road to the rear (west and south) of the site, sitting higher than the application site.
- 2.2. The site currently contains a single storey, pitched-roof, three-bed dwelling of fairly traditional form, with garden on three sides of the triangular site. The dwelling has a garage to the side, which is accessed via a short driveway sloping up from the road.
- 2.3. Withdean Local Nature Reserve is located some 180m north of the site., while Tivoli Copse and Railway Woodland Site of Nature Conservation Importance extends in a strip some 45m north of the site along Withdean Road before heading along the railway corridor some 65m south. There are Tree Preservation Orders in the local area.

3. RELEVANT HISTORY

- 3.1. BH2021/01007 - Conversion of existing garage to provide habitable space, with the erection of a front extension and front porch. Lowering existing driveway to create a garage at lower ground floor level with terrace above and associated works. Approved 10th May 2021
- 3.2. BH2015/00822- Remodelling of existing dwelling including roof extension to create first floor with balcony to front, conversion of integral garage into habitable

accommodation, creation of lower ground floor garage, landscaping and associated alterations. Refused 10.11.2015.

The application was refused for the following reason:

"The proposed development, by reason of its overall form, fenestration and material finish, would form an unduly dominant and incongruous addition that would detract significantly from the character and appearance of the site, the Blackthorn Close streetscene and the wider surrounding area. The proposal would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood contrary to policies QD1, QD2, and QD14 of the Brighton and Hove Local Plan."

- 3.3. 91/0410/FP- Excavation of existing drive to form new double garage and conversion of existing garage for additional living accommodation. Approved 30.05.1991.

4. APPLICATION DETAILS

- 4.1. Planning permission is sought to convert the dwelling from single-storey to two-storeys, creating a hipped roof above, with a smaller gable feature at the centre of the building, facing the street, as is currently the case. Traditional form and materials would be used, with hang tiles at first floor, and brick below, and a tile roof. The first floor would contain a large kitchen/living area, with study and TV room, while there would be five bedrooms at ground floor level.

5. CONSULTATIONS

None Received

6. REPRESENTATIONS

Seven (7) letters of objection letter have been received, with the following issues raised:

- Overdevelopment;
- Overshadowing and overbearing impacts;
- Impacts on character of area;
- Not in accordance with SPG12;
- Loss of privacy/overlooking.

- 6.1. Two (2) letters of support have been received for the proposed development and summarised on the following material grounds:

- Design in keeping;
- Only bungalow on the close;
- Utilises the size of the plot.

7. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP9	Sustainable Drainage
CP8	Sustainable Buildings
CP10	Biodiversity
CP12	Urban Design

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

QD14	Extensions and alterations
QD27	Protection of Amenity
TR7	Safe Development

Brighton & Hove City Plan Part Two (Proposed Submission October 2020):

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
DM33	Safe, Sustainable and Active Travel

Supplementary Planning Documents:

SPD11	Nature Conservation and Development
SPD12	Design Guide for Extensions and Alterations
SPD17	Urban Design Framework.

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations relevant to the determination of this application relate to its impact upon the character and appearance of the area; and on residential amenity.

Character and Appearance

- 8.2. Policy QD14 of the Local Plan and emerging Policy DM21 of City Plan Part 2 (which can be given significant weight) relate to extensions and alterations. They both support, among other things, development that is well designed, sited and detailed in relation to the property to be extended, adjoining properties, and the surrounding area; and promote the use of sympathetic materials.
- 8.3. The proposal would significantly change the appearance of the existing dwelling. However, the existing property is not of high architectural merit and has limited impact on the streetscene. The dwelling is located between two storey dwellings so increasing it to this height would be in keeping with the streetscene. The proposal itself is well designed, retaining sufficient outside space and a palate of sympathetic materials and form. The proposed development is considered to represent an improvement over that which currently exists on site.

- 8.4. The proposed extensions are therefore considered suitable additions to the building that would benefit its appearance and that of the wider area, in accordance with policy QD14 of the Brighton & Hove Local Plan, emerging Policy DM21 of City Plan Part 2, and SPD12 guidance.

Impact on Amenity

- 8.5. The expansion of the dwelling has the potential to result in an increase in impact on residential amenity through overlooking, loss of light, and increased disturbance.
- 8.6. There would be an increased impact on numbers 1 and 3 Blackthorn Close, to the south-east and north respectively. However, number 1 is itself large in scale, and set at an oblique angle to the application site so the impact would be limited. Number 3 is located to the south of the application site but set back from the common boundary which would help to limit the impact of the dwelling's increased scale. There would be some loss of light as a result of the increase in height, but the dwelling would have a ridgeline similar to that of number 3, with a hipped roof sloping away from the boundary, helping to mitigate the impact. Upper windows facing this neighbour would be obscure glazed.
- 8.7. To the rear (west) of the site is number 34 Withdean Road which would experience some increased overshadowing in the earliest part of the day by virtue of the extensions. However, the property sits higher than the application site, and some 30m from it so the impact is not considered to be significant.
- 8.8. The proposal, by virtue of its separation distances from all other properties, its scale and the existing topography would not result in an unacceptable level of overshadowing or overbearing on neighbouring dwellings. Furthermore all openings are appropriately positioned so as not to give rise to unacceptable levels of visual intrusions.
- 8.9. The impact on the adjacent properties at Blackthorn Close and Withdean Road have been fully considered in terms of daylight, sunlight, outlook and privacy and no significant harm has been identified, particularly given the scale of neighbouring properties and their set-back from the application site.

Biodiversity

- 8.10. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bees. 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.

Conclusion

- 8.11. The proposal is considered to improve the appearance of the application site and to provide a development more in keeping with the character of the local area. The increase in height would respect the scale, continuity, roofline and general appearance of the streetscene, including its topography. There would

be some increased shading of neighbouring properties but this has been minimised, and is not considered so significant as to warrant refusal of the application.

9. COMMUNITY INFRASTRUCTURE LEVY

- 9.1. 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. It is estimated that the amount of CIL liability for this application is £ 23,250. 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.
- 9.2. The proposal site is located within zone 2 of the CIL charging area and subject to a £150 charge per square metre.

10. EQUALITIES

None identified