

<u>No:</u>	BH2021/02943	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	79 Goldstone Crescent Hove BN3 6LS		
<u>Proposal:</u>	Remodelling of existing dwellinghouse including part one, part two-storey rear extension and roof alterations including Sussex hips, front and rear dormer windows and rooflights, with associated alterations.		
<u>Officer:</u>	Jack Summers, tel: 296744	<u>Valid Date:</u>	10.08.2021
<u>Con Area:</u>		<u>Expiry Date:</u>	05.10.2021
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Stuart Hoyle 82 Stephens Road Brighton BN1 7ER		
<u>Applicant:</u>	Seymour 79 Goldstone Crescent Hove BN3 6LS		

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	(00)001	P1	7 December 2021
Proposed Drawing	(10)002	P1	7 December 2021
Proposed Drawing	(20)002	P1	7 December 2021
Proposed Drawing	(30)001	P1	7 December 2021
Proposed Drawing	(30)002	P1	7 December 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 relevant external finishes of the development hereby permitted shall be as follows:

- Walls in painted render to match the appearance of those found on the existing building.
- Roof tiles to match the appearance of those found on the existing building.
- Window and door frames painted/coloured white.
- Glazed screen on north elevation at loft level in Pilkington Profilit™ Profiled glass plank with TIMax

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; CP12 of the Brighton & Hove City Plan Part One; and DM21 of the City Plan Part Two.

4. Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan, and DM20 of the City Plan Part Two.

5. One or more bee bricks 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.

6. Three or more swift bricks/boxes shall be incorporated within the external surface 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.

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. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.
4. The applicant is advised to contact permit.admin@brighton-hove.gov.uk if they wish to suspend parking outside the application site during the delivery and construction period.

2. SITE LOCATION

- 2.1. The application site is a large two-storey detached dwellinghouse on the northeast side of Goldstone Crescent, opposite the locally listed Hove Park. The building has two bay windows with a centrally-placed main entrance and is considered to contribute positively to the character of the streetscene. The site is not within a Conservation Area or otherwise subject to any designation.

3. RELEVANT HISTORY

- 3.1. No evidence has been found that suggests that restrictive planning conditions were applied at the time of construction.
- 3.2. **BH2004/01507/FP** Two storey pitched roof rear extensions (Revised scheme to BH2003/03102/FP). Refused for one reason:
1. *“Notwithstanding inaccuracies on the submitted plans, not only would the proposed two-storey rear extension, due to its excessive size and relationship to the neighbouring properties, represent an unsympathetic and unneighbourly form of development detrimental to the amenity of the occupiers of the neighbouring properties by reason of its overbearing appearance and loss of light; but would also provide two rooms that would have no natural light or ventilation. As such the proposal would be contrary to policy BE1 of the Hove Borough Local Plan and policies QD1, QD2, QD14, QD27 & SU2 of the Brighton and Hove Local Plan Second Deposit Draft.”*
- 3.3. **BH2003/03102/FP** Two storey pitched roof rear extension and flat roof garage. Refused for two reasons:
1. *“The proposed two-storey rear extension would, due to its excessive size and relationship to the neighbouring properties, represent an unsympathetic and unneighbourly form of development detrimental to the amenity of the occupiers of the neighbouring properties by reason of its overbearing appearance and loss of light. As such the proposal would be contrary to policy BE1 of the Hove Borough Local Plan and policies QD1, QD2, QD14 & QD27 of the Brighton and Hove Local Plan Second Deposit Draft.*
 2. *“The proposed garage would, due to its prominent location at the front of the property, represent an obtrusive incongruous feature detrimental to the appearance of the surrounding area which is characterised by open gardens. As such the proposal would be contrary to policy BE1 of the Hove Borough Local Plan and policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan Second Deposit Draft.”*

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for a part one-, part two-storey rear extension, and roofworks including Sussex hip ends and front and rear dormer windows and rooflights, with other associated alterations.

- 4.2. The proposed development has been reduced in scale during the lifetime of the application: setting the single-storey element of the extension in from the south edge of the curtilage and decreasing the depth of the extension overall. The extension now has a total height of 8.3m, eaves height of 5.2m, and flat roof (at single-storey level) height of 3.2m, with a total depth of 5.2m - all measurements are approximate.

5. REPRESENTATIONS

- 5.1. Two representations have been received, objecting to the proposal on the following grounds:
- The proposed development is too large
 - The proposed development will cause harm to the streetscene
 - The proposed development would appear overbearing
 - The proposed development would cause a loss of light
 - The proposed development would cause loss of privacy
 - The proposed development would result in areas within the development with no natural light
 - The application should be determined by the Planning Committee to address boundary wall issues
 - Lack of structural information within the submission
 - Concerns regarding rainwater goods overflowing
 - Concerns regarding maintenance and structural stability
- 5.2. A representation has also been received from Ward Councillor Bagaeen; a copy of this correspondence is been attached to this report. In it, the Councillor has requested the application be decided by the Planning Committee.

6. CONSULTATIONS

None

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 Joint Area Action Plan (JAAP) 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. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable buildings
CP10	Biodiversity
CP12	Urban design
CP13	Public streets and spaces
CP15	Heritage

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

TR7	Safe development
QD5	Design - street frontages
QD14	Extensions and alterations
QD27	Protection of amenity

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part Two 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 23rd 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.

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM29	The Setting of Heritage Assets

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposed development, and the potential impacts on the amenities of local residents, and on the significance of heritage assets in the vicinity.

Design and Appearance

- 9.2. The roofworks would be the main part of the development visible from the public highway and it is considered that some harm would be caused to the character of the streetscene due to the change in roofscape. The application site is part of a row of similar properties (nos.69-89) that share a fairly high degree of

uniformity, including their pitched roof-forms. The Sussex hip-ends and front dormer window would detract from this group value.

- 9.3. However, weight must be given to the 'permitted development' rights afforded single dwellinghouses which would allow for substantial enlargements to the roofscape without the need for express planning permission. Given a similar visual impact could result from works not requiring express permission, it is considered that it would not be reasonable to raise strong objection to the Sussex hip-ends which are considered to be the main cause of harm, given their bulk.
- 9.4. The front dormer window would be modest in scale and positioned well within the bounds of the roof-scape, and is considered to cause insignificant additional harm so would not warrant strong objection in this instance.
- 9.5. Whilst concerns about the impact of the development on the character of the streetscene are noted, it is considered that the harm would be less than significant and given that these properties are not subject to any significant constraints the group value in their uniform appearance is not protected from change.
- 9.6. The rear extension is a substantial addition to the host building but, following the slight reduction in scale, is considered to be proportionate in terms of mass and scale and would not cause any significant harm to the building's character and appearance.
- 9.7. The proposed external materials for the development should match or be similar in appearance to those found on the main dwelling, as would be secured by condition.

Impact on Heritage Assets

- 9.8. The application site is directly across the road from the locally listed Hove Park, which is a non-designated heritage asset. As abovementioned, the proposed development is considered to have an acceptable impact on the visual amenity of the streetscene and this includes the setting of the park. It is therefore considered to have a neutral impact on the significance of the park and there are no concerns in this regard.

Impact on Amenities

- 9.9. Given the scale of the development, it has the potential to cause harm to the amenities of residents of the properties either side of the site (nos.77 and 81) through appearing overbearing, reducing direct sunlight and privacy. Each of these concerns shall be addressed in turn.
- 9.10. The development would result in a substantial enlargement to the original dwelling, creating significant additional bulk at high level. However, the building line along Goldstone Crescent is reasonably straight, so the roofworks should not be visually prominent from the rear gardens of either adjacent property. The two-storey element of the rear extension would be adjacent to no.81 and highly visible from the rear garden of this property, but it would be set away from the

shared boundary by approximately 1.2m and adjacent to the single-storey extension within the neighbouring property's own garden. It is considered that these factors sufficiently mitigate the potential harm to an acceptable degree. The single-storey element would be set approximately 1.2m from the shared boundary with no.77 and, despite said property being on lower ground, should have an acceptable impact in this regard.

- 9.11. The proposed development is likely to reduce the level of direct sunlight to the rear garden of no.81 until the early afternoon, and parts of the rear garden of no.77 in the late afternoon/early evening hours. This will cause a degree of harm, but given that each garden is northeast of their respective dwelling, a significant degree of overshadowing (from the dwellings themselves) would already occur and the additional impact from the development is not considered significant enough to warrant refusal of the application.
- 9.12. The proposed development would not include any new side-facing windows that would offer compromising views into neighbouring land. The rear-facing windows would not provide any views that are not already possible, and given the layout of the local area there is already some mutual overlooking of gardens. A condition will be attached restricting access to the flat roof for anything other than maintenance or in the event of an emergency. It is considered that access as an amenity space would cause a harmful sense of overlooking for neighbours in the adjoining property.

Other Considerations

- 9.13. 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 bumblebees and swifts. A suitably-worded condition will be attached to secure an appropriate number of bee bricks and swift bricks within the proposal in order to help meet the requirements of policy CP10 of the City Plan Part One.
- 9.14. Concerns have been raised that the proposed development would lead to internal spaces within the application property, without access to natural light. Given that this application seeks permission for alterations to an existing single dwellinghouse, this is not a material planning consideration.
- 9.15. Concerns have also been raised that structural information has not been submitted in support of the application. Building safety during construction are managed through the Building Regulations regime and are not material planning considerations; no weight has been given to the lack of this information in this instance.
- 9.16. Building maintenance and any boundary disputes between neighbours are also not material planning considerations and should be given no weight in the assessment of the acceptability of the proposed development.

Conclusion

- 9.17. The proposed development is considered to cause only minor harm to the character and appearance of the host building and wider streetscene, and the

amenities of local residents, particularly when compared with the works that could be undertaken under 'permitted development' rights, and would make more efficient use of an existing brownfield site. On balance it is considered that the harm caused is not significant enough to justify withholding planning permission and planning permission should be granted in line with policy SS1 of the CPP1 whereby there is a presumption in favour of sustainable development. Conditions shall be included to secure external materials and biodiversity improvements, and to restrict access to the flat roof area for amenity purposes. For these reasons the proposal is considered to be in accordance with policies QD5, QD14 and QD27 of the Brighton and Hove Local Plan; and CP8, CP10, CP12, CP13 and CP15 of the City Plan Part One.

- 9.18. It is also considered that the proposal would also be in accordance with policies DM20, DM21 and DM29 of the Proposed Submission City Plan Part Two which is gathering weight. These policies are considered to have significant weight at this stage.

10. EQUALITIES
None identified

11. COMMUNITY INFRASTRUCTURE LEVY

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

12. CLIMATE CHANGE/BIODIVERSITY

- 12.1. The proposed development would improve and enlarge an existing dwelling in a sustainable location, making more efficient use of a brownfield site and reducing the need for development elsewhere. Biodiversity improvements would also be secured as part of the development.