

<u>No:</u>	BH2022/01049	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	67 Saltdean Drive Saltdean Brighton BN2 8SD		
<u>Proposal:</u>	Erection of single storey rear and side extensions. Conversion of existing garage to habitable space. New steps to front.		
<u>Officer:</u>	Charlie Partridge, 292193	tel:	<u>Valid Date:</u> 28.03.2022
<u>Con Area:</u>		<u>Expiry Date:</u>	23.05.2022
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	South Eastern Planning Services Ltd 67 Coleridge St Hove BN3 5AA		
<u>Applicant:</u>	Glenholme Group Ltd 67 Saltdean Drive Saltdean Brighton BN2 8SD		

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	1		28 March 2022
Proposed Drawing	1	A	1 July 2022

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 walls and roof tiles 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.

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.

5. At least one 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.

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 detached bungalow property located on the west side Saltdean Drive, just south of its junction with Lustrells Vale. It is an early post-war property having a suburban character and appearance.
- 2.2. The bungalow has a hipped roof at the front with a further subservient hipped bay on the front elevation. The rear elevation has a gable roof. There is a garage/car port on the northeast side elevation.

3. RELEVANT HISTORY

- 3.1. **BH2022/02123** Change of use from dwellinghouse (C3) to small house in multiple occupation (C4) including the erection of single-storey side and rear extensions, and alterations to fenestration. Under consideration.
- 3.2. **BH2022/01048** Certificate of lawfulness for proposed construction of 2no. side dormers. Refused 23.5.2022 for the following reason:
The proposed side dormers would not represent permitted development as they would breach the restrictions of Schedule II, Part 1, Class B.1(d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the erection of a single storey rear and side extension and the conversion of the existing garage to habitable space. New steps to front of the property are also proposed as part of this application.

- 4.2. An amended floor plan was submitted during the course of the application which removed reference to a staff toilet. Additional drawings were also submitted which included a land level survey and a floor plan of the neighbouring property.

5. REPRESENTATIONS

- 5.1. **Ten (10) objections** were received, raising the following concerns:
- Parking issues
 - Traffic or Highways
 - Detrimental effect on property value
 - Noise
 - Poor Design
 - Impact on residential amenity
 - Issues relating to the intended use of the site
 - Concerns relating to the issues of the adjacent care home
 - Change in the residential character of the area
 - Waste management of the site
 - Lack of information in the application
 - Concerns over the piecemeal nature of applications for the site.
- 5.2. **Councillor Bridget Fishleigh objects** to the proposal. A copy of Councillor Fishleigh's representation is appended to this report.

6. CONSULTATIONS

- 6.1. **Transport Planning: No objection** Removal of garage acceptable as car parking on driveway retained as part of this proposal. May be slight increase in trips due to increase in floor space. Would not be significant enough to warrant a reason for objection.

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. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 7.3. 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).

7.4. 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
 CP10 Biodiversity
 CP12 Urban design

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

SU10 Noise nuisance
 QD14 Extensions and Alterations
 QD27 Protection of amenity

Brighton & Hove City Plan Part 2:

Policies in this Plan 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. Some policies have gained further weight following the CPP2 examination hearings and publication of the Post Hearing Action points by the Inspector (INSP09) and Main Modifications for consultation March 17th (BHCC44 Schedule of Main Modifications).

DM20 - Protection of Amenity
 DM21 - Extensions and Alterations
 DM40 - Protection of the Environment and Health - Pollution and Nuisance

Supplementary Planning Documents:

SPD11 Nature Conservation and Development
 SPD12 Design Guide for Extensions and Alterations

9. CONSIDERATIONS & ASSESSMENT

9.1. The main considerations in the determination of this application relate to the design and appearance of the development and the impact on neighbouring amenity and any impact on transport.

- 9.2. It is noted that concerns have been raised by neighbours that the intended use of the site is not a dwelling but a care home facility, particularly noting the applicant is Glenholme Group Ltd, who manage the residential care home adjacent to the site at 69 Saltdean Drive.
- 9.3. However, the current, authorised use of the site is as a C3 dwelling, and the scheme has been submitted for consideration as a householder application. Another use would require a separate planning permission, at which point the acceptability of the new use would be considered.
- 9.4. Many of the representations received from neighbours make the point that there is also an application under consideration for the site for the change of use from dwellinghouse (C3) to small house in multiple occupation (HMO – planning use class C4) which includes the erection of extensions and alterations (ref. BH2022/02123 - see planning history).
- 9.5. However, the impacts of that proposal will be assessed separately in relation to that application. It is reasonable for the applicant to apply for planning permission to extend the property under a household planning permission route given this is the lawful use of the site. Under this type of application, the development must be assessed in terms of a domestic extension only. The future application would need to assess the suitability of the proposed change of use of the site and any associated works.

Design and Appearance

- 9.6. The development would extend the rear of the property by 5.3 metres. The rear extension would not extend along the full width of the property and would be set in 2.4 metres from the southwest side boundary to 65 Saltdean Drive. The side extension, which would incorporate the existing garage/ car port would be set back from the rear extension by 1.3 metres at the rear.
- 9.7. The extensions would be flat roofed with a dummy pitch to the edges. Matching materials are proposed for brick work and tiling of the extension.
- 9.8. When viewed from the front, the proposed development would not appear notably different in form to the existing garage/car port. The side extension which would incorporate the existing garage would not extend further forward than the existing garage and would remain on the boundary. The false pitched-roof is considered to result in an acceptable design to the front elevation which would maintain a good degree of subservience to the main dwelling. The extending structure would rise above the existing eaves of the property but not in a way which would harm the appearance of the building. The current structure has both a pedestrian and garage door on the front elevation and the new extension would replace this frontage with a suitably positioned window. Numerous types of side extensions are visible in the locality. The provision of stepped access to the front of the property is considered visually acceptable.
- 9.9. When viewed from the rear, the development would result in a considerable increase in the ground floor plan of property. However, as a single storey mass, the overall scale is considered broadly acceptable. The plot is considered a

sufficient size to accommodate a development of this scale without constituting an overdevelopment of the property. Ample garden space would remain undeveloped, resulting in comfortable relationship between the extended property and the garden setting.

- 9.10. Therefore, the proposed extension is considered acceptable in design terms and would not materially harm the appearance of the bungalow or the wider streetscene. As such, the application is considered to be compliant with Policy CP12 of the City Plan Part One, QD14 of the Local Plan and DM21 of the emerging City Plan Part Two which can now be afforded more weight than QD14.

Impact on Neighbouring Amenity:

- 9.11. Paragraph 130 of the NPPF outlines that planning decisions should ensure that developments create places that promote health and well-being, with a high standard of amenity for existing and future users. 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.
- 9.12. As explained previously in this report, the potential impacts of a different use of the site which may be sought in the future, or allowed under the current HMO application, cannot be taken into account in considering this application.
- 9.13. The extensions would have the most impact on the property to the north east, 69 Saltdean Drive. The side extension would be built along the boundary to this property, extending further to the rear than the existing car/port and garage. Notably the flank wall would be approximately 600mm higher than that of the existing structure, with the false pitched roof adding a further bulk but pitching away from the boundary. The combined length of the extension and the increased height could mean an increased sense of enclosure to 69 Saltdean Drive. However, that property benefits from a single storey rear extension and has no side facing windows. Any increased sense of enclosure or loss of light is therefore not considered so significant as to warrant refusal of the application.
- 9.14. The rear extension would be set a sufficient distance from the property to the south west, 65 Saltdean Drive, to prevent a significant impact on this property. The separation to the boundary would prevent the structure having an overbearing impact on the occupiers of this property.
- 9.15. In regard to privacy, it is not considered that the extension would have a significant impact. Most of the fenestration proposed faces to the rear and would provide views of the garden only. A new window proposed for the south west elevation of the extension would be set back from the boundary with 65 Saltdean Drive. Furthermore, the boundary with 65 Saltdean Drive appears well vegetated. No loss of privacy or overlooking to adjoining properties would result.

- 9.16. The development would rely on a significant amount of flat roof. With the positioning of the existing window within the gable end providing potential access, it is considered necessary to ensure that access to the flat roof is for maintenance only.
- 9.17. As a household extension, the development would not facilitate a significant uplift in activity associated with the property and consequently it cannot be concluded that the development would have a material impact in noise levels from the site.
- 9.18. Overall the bulk, form and massing of this domestic extension is not considered to cause harm to residential amenity of neighbouring occupiers. As such, the proposal is considered to be in accordance with Local Plan Policy QD27 and Policy DM20 of the Proposed Submission City Plan Part Two, which carries more weight than QD27.

Traffic and Highways

- 9.19. The Sustainable Transport Team have not raised an objection to the development. The development would result in the loss of the ability to park a vehicle in the carport/ garage area, but the driveway would remain an option for off-street car parking.
- 9.20. Representations have been made regarding localised on-street parking stress from the use of the property adjacent to the application site. Concerns have been raised that the road is so heavily parked emergency and utility vehicles have had their access restricted. This is noted however as a domestic extension, it is not considered that the works would result in a material change to on-street car parking pressures in the area.

Other matters:

- 9.21. Matters regarding a change of use of the property, activities at an adjoining site, alterations outside the scope of this application, property values and waste concerns are not relevant to consideration in relation to the present scheme, and therefore have not been taken into account in the determination of this application.

Conclusion

- 9.22. This application is considered acceptable on matters of design and impact on neighbouring amenity, and transport considerations. As such, this application is recommended for approval.

10. EQUALITIES

None identified

11. CLIMATE CHANGE / BIODIVERSITY

- 11.1. The works would extend an existing building and make more efficient use of the site. City Plan Part One Policy CP10 and SPD11 require development to provide

net gains for biodiversity and this can be achieved through the provision of bee
brick secured by a planning condition.