

<u>No:</u>	BH2022/03139	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	30 Benett Drive Hove BN3 6UT		
<u>Proposal:</u>	Demolition of existing garage and rear conservatory and erection of a single storey side extension, and single storey rear extension with balcony above. Roof alterations incorporating extensions, side rooflights and 2no. front dormers.		
<u>Officer:</u>	Charlotte Tovey, 202138	tel: <u>Valid Date:</u>	06.10.2022
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	01.12.2022
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	15.03.2023
<u>Agent:</u>	Turner Associates 2D St Johns Road Hove Hove BN3 2FB		
<u>Applicant:</u>	Mr Greg Lester 30 Benett Drive Hove BN3 6UT		

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
Proposed Drawing	10		6 October 2022
Proposed Drawing	11		6 October 2022
Proposed Drawing	12		6 October 2022
Proposed Drawing	13		6 October 2022
Location and block plan	14		6 October 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. 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 DM37 of Brighton & Hove City Plan Part 2, 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 comprises of a detached bungalow on the south side of Benett Drive at no. 30. The building is of brick and render construction with a pitched tiled roof. It has a projecting ground floor bay to the western side of the front elevation with a gable pitched roof. The building is fitted with white UPVC glazing. The site has been altered with a ground floor single storey rear extension which has a felt flat roof and sits above the eaves of the original dwellinghouse. The site incorporates a long front and rear garden and has off road parking located at the front on a driveway and attached to the dwellinghouse is a side garage. The street scene is residential and many of the bungalows within the vicinity of the site have been altered with loft conversions.
- 2.2 The site is not within a conservation area.

3. RELEVANT HISTORY

BH2015/02483 Demolition of existing garage and erection of a single storey side extension with roof alterations incorporating extensions, rooflights, front dormers and a balcony to the rear elevation. Approved 26.10.2015 (not implemented)

4. RELEVANT HISTORY AT OTHER SITES

BH2009/02891 - 26 Benett Drive - Erection of front and rear extensions, extensions and alterations to roof pitch incorporating dormer, rooflights and balcony and associated works. Approved 21.01.2010

BH2009/01874 - 24 Benett Drive - Replacement of garage/carport with erection of side and rear extension with raised patio. Roof conversion to form first floor accommodation including 2 no. dormers to front elevation, balcony to rear and rooflights. Approved 12.01.2010

BH2008/03583 28 Benett Drive - Single storey side infill extension, roof extension including raising height of roof, front dormers and rear velux roof terrace with inset balcony. Approved 19.01.2009

BH2007/03909 - 34 Benett Drive - Loft conversion including rear dormer and balcony, and front and side rooflights. Approved 13.12.2007

5. APPLICATION DESCRIPTION

- 5.1 Planning permission is sought for the demolition of existing side garage and rear conservatory and the erection of a single storey side extension, and single storey rear extension with balcony above. Roof alterations incorporating extensions, side rooflights and 2no. front dormers.

6. REPRESENTATIONS

One (1) representations have been received, objecting to the proposal on the following grounds:

- Inappropriate Height of Development
- Overshadowing and loss of light
- Restrict the neighbour view
- Overlooking and loss of privacy
- Detrimental impact to solar panels

One (1) representations have been received, supporting the proposal on the following grounds:

- Good design

One (1) representation have been received, from **Councillor Bagaeen** objecting to the proposal. A copy of the email is attached to the report.

7. CONSULTATIONS

Transport:

Verbal consultation received 27.10.2022 found the proposal acceptable. The proposed extensions and conversion of the garage into ancillary residential space is expected to result in an increase in trips, however this level of increase will be negligible and will not impact the surrounding local highway network.

The removal of the garage to create ancillary accommodation will result in the loss of an on-site parking space, however there is hardstanding/driveway in front of the garage, and so on-site parking amenity is retained despite the loss of the garage. No amendments to vehicular access are proposed.

SPD 14 policy compliant cycle parking provisions have been omitted from this application, and it is recommended details of cycle parking should be secured by condition.

8. MATERIAL CONSIDERATIONS

8.1 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

The development plan is:

- Brighton & Hove City Plan Part Two (adopted October 2022);
- Brighton & Hove City Plan Part One (adopted 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.

9. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One (CPP1)

SS1 Presumption in Favour of Sustainable Development

CP10 Biodiversity

CP12 Urban design

CP13 Public streets and spaces

Brighton and Hove City Plan Part Two

DM1 Housing Quality, Choice and Mix

DM18 High quality design and places

DM20 Protection of Amenity

DM21 Extensions and alterations

DM33 Safe, Sustainable and Active Travel

DM37 Green Infrastructure and Nature Conservation

Supplementary Planning Documents

SPD11 Nature Conservation & Development

SPD12 Design Guide for Extensions and Alterations

10. CONSIDERATIONS & ASSESSMENT

10.1 The main considerations in the determination of this application relate to the design and appearance of the proposal, the impact on the highways and the impact on neighbouring amenity and solar panels.

10.2 A site visit has been undertaken in this instance, and the impacts of the proposal can be clearly assessed from the plans, site visit, sunlight assessment and from recently taken aerial imagery of the site.

Design and Appearance

- 10.3 Permission for the proposed extension and alterations was granted in 2015 under BH2015/02483 however the scheme was not implemented within the three year time condition. Planning permission is now sought for the same proposed alterations.
- 10.4 Planning permission is sought to alter the appearance of the front elevation of the building that would include the replacement of the garage door with a new window, to extend, raise and alter the roof and to change the material palette of the bungalow from a brick finish to white painted render with a new slate roof. A site visit was conducted on the 02/11/2022 which demonstrated that the proposed alterations to the dwelling would not appear incongruous in the street scene. No. 28, No. 26 and No. 24 Benett Drive to the east of the application site have been granted planning permission for similar alterations and the new proposed materials would match its neighbours appearance at no. 32 Benett Drive to the west. It is therefore considered that the alterations to the front elevation would be in keeping with its neighbours and would not cause harm to the appearance of the building or wider area.
- 10.5 The enlargement of the roof space with extensions to the side and at the rear would not detrimentally change the appearance of the building. Whilst it is noted that the bungalow is located within close proximity to its neighbour at no. 32 Benett Drive the proposed hipped pitch of the new roof would be retained, albeit at a slightly increased angle, retaining visual separation from its neighbour. The alterations to the roof would increase the overall height of the roof ridge by approx. 0.3m and will extend the ridge length at this height from approx. 3.5m to 8.5m. The alterations slightly increase the pitch of the roof facing the neighbours property at no. 32 from 35 degrees to 42 degrees. Due to the modest increase in height and marginal increase in roof angle the proposed alterations are considered visually acceptable.
- 10.6 The proposed 2no. front dormer windows are suitably scaled and well designed with gable pitched roofs that are sympathetic to the feature gable above the ground floor projecting bay. A number of properties in the immediate streetscene have front dormers so this aspect of the proposal would not be out of keeping with the character of the area.
- 10.7 The proposal would retain the existing chimney and includes the insertion of 4no. new rooflights to the west roof slope, 3no. to the east roofslope and 1no. to the concealed flat roof. The new rooflights would be suitably scaled and positioned on the elevations and provide natural light into the new rooms in the loft space. They would not be out of keeping with the street scene as it is noted both neighbours have rooflights to their side elevations. The enlargement of the roof to the rear above the existing single storey rear extension would improve the appearance of the rear elevation where the existing flat roof of the extension sits above the eaves of the dwellinghouse. The size of the recessed balcony is positioned centrally to the rear roof space and the new glazing would accord with the ground floor rear fenestration. The alterations to the building would relatively match the appearance of its neighbours at no. 28, no. 26 and no. 24 Benett Drive.

- 10.8 Overall it is considered that the alterations to the roof and conversion of the garage to a habitable space are suitably scaled, designed in materials that would complement the street scene and would not cause harm to the character of wider area in accordance with SPD12.
- 10.9 Permission is also sought for a single storey side extension at the rear of the existing garage. The side extension would not be wider than the existing side elevation of the garage but would project approx. 2.7m further into the rear garden. It would be finished in white render to match the host building and no glazing is proposed to the side elevation. A sliding door would be fitted to the rear elevation for access to the garden, that would replace the existing window and door. The side extension would sit under the new pitched roof of the dwellinghouse and give the appearance of a suitable addition whilst maintaining the same level of separation from its neighbour at no. 32 Benett Drive.
- 10.10 Permission is also sought to alter the existing fenestration including the replacement of the ground floor bi-folding doors on the rear elevation of the existing rear extension and to insert two new windows (replacing the existing kitchen window) on the east elevation of the building. The new glazing would be white aluminium. The new units are suitably scaled, designed to match the appearance of the existing and would therefore be an acceptable change to the appearance of the building.
- 10.11 Overall, the proposed extension and alterations to the dwellinghouse would represent a sympathetic additions to the host property, in accordance with Brighton & Hove City Plan Part Two policies DM18, DM21, and City Plan Part One policies CP10 & CP12.

Impact on Amenities

- 10.12 Policy DM20 of City Plan Part 2 states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is liable to be detrimental to human health.
- 10.13 The impact on the adjacent properties has been fully considered in terms of daylight, sunlight, overshadowing, outlook, noise and privacy following an investigation. The main consideration to the development would be the impact upon the neighbours amenity at no. 32 Benett Drive to the west and no. 28 Benett Drive to the east and the neighbours south on Goldstone Crescent.
- 10.14 Concerns were raised during neighbour consultation that the proposed height of the development would be inappropriate. That the enlargement of the loft space would result in the proposal detrimentally overshadowing the neighbours amenity, resulting in loss of light, restriction of their view, loss of privacy and have a detrimental impact on the adjacent solar panels.

- 10.15 Since the 2015 permission was granted, the adjacent neighbour at no. 32 Benett Drive has had 14 solar panels fitted to their eastern roof slope and as recent case law has demonstrated, the local planning authority should take into consideration the effects of the development and its impact to neighbouring solar panels.
- 10.16 A sunlight/ daylight assessment was received on the 01/02/2023 that concludes the impact on the light available to the neighbouring solar panels would be negligible. The assessment concludes in paragraph 3.5 that the solar panels tested would retain more than 96% of the former APSH (annual probably sunlight hours) value. Whilst the overall effect of the solar panels is likely negligible as the report demonstrates, the BRE guidance also recognises that solar panel development that is constructed close to a site boundary and at a low level should be installed with the reasonable expectation that neighbouring development may occur. It is also noted that the solar array is largely installed on an east facing roofslope. The assessment is robust and has been undertaken in accordance with BRE guidance issued in 2022. It is therefore considered that the proposal would not detrimentally result in a loss of light nor restrict the use of the solar panels to such an extent that would warrant refusal.
- 10.17 Recently taken aerial imagery and the daylight assessment demonstrates that the proposed roof alterations would not detrimentally overshadow no. 32's amenity to warrant refusal. There would be a marginal increase in the pitch of the roof from 35 degrees to 42 but as the same separation would be maintained between the two dwellings it is not considered that the proposed roof alterations would overshadow any of the neighbours habitable rooms.
- 10.18 The location of the front dormer windows central upon the front elevation of the roof and modest in scale, suitably set in from the side eaves and set back from the road frontage would not detrimentally impact neighbours amenity.
- 10.19 The proposed rear loft extension would be suitably scaled and appropriately constructed with a hipped pitched roof that it is not considered to detrimentally impact its neighbours. It would be part visible from Benett Drive but due to the separation and scale is acceptable in terms of amenity. The new fenestration and proposed recessed balcony is not considered to cause a harmful loss of privacy as it would be fitted with a flush glass balustrade, central within the roof space and would not therefore harmfully overlook no. 28 Benett Drive's rear garden.
- 10.20 The proposed insertion of 4no. rooflights to the western roof slope and 3no to the eastern slope would be discretely positioned within the roof space and positioned and not cause a degree of overlooking sufficient to warrant refusal given views would be towards the principal side roofslopes of the neighbouring properties.
- 10.21 The new glazing fitted to the ground floor would replace existing and reduce the amount of fenestration to the ground floor west side elevation.

- 10.22 Due to the separation of the proposed development from the neighbours south on Goldstone Crescent by approx. 22m there is likely to be no harm as a result of the development. Whilst Benett Drive sits higher in land levels above Goldstone Crescent the southern boundary of the garden is tree lined which would help soften its appearance.
- 10.23 Overall the proposal would not cause harm to the amenity of neighbouring occupiers in accordance with Brighton & Hove City Plan Part Two policies DM20 and SPD12 guidance.

Impact on Highways

- 10.24 Verbal consultation with Transport concluded that the increase in the number of trips generated from the increased residential occupancy of the dwellinghouse as 3 bedroom to a 5 bedroom would be acceptable. Whilst it is noted that the proposal includes the loss of the garage as such, it is not considered to impact the Highways as sufficient off road parking facilities would be retained on site by the long driveway would could fit two cars. The site is located within CPZ P which has an average residential permit uptake of 22%, indicating that there is residual capacity to absorb the loss of one the garage as such, without impacting residual capacity for existing residents.
- 10.25 As this proposal is for the extension and alteration of the property, it is not considered reasonable to secure cycle parking by condition.
- 10.26 It is therefore considered that the proposal would be acceptable, in accordance with DM33 of City Plan Part Two and CP13 of City Plan Part One.

Standard of Accommodation

- 10.27 Planning permission is sought for roof alterations and a ground floor side extension that would internally create two new double bedrooms, one with ensuite washing facilities and an additional bathroom in the loft space. The Master Bedroom would be 29.8m² and the Bedroom 2 would be 30m². The ground floor side extension would enlarge Bedroom 5 to 15m² and the proposal would also reconfigure the rear of the ground floor to an open plan kitchen/ living space. The proposed alterations would meet the minimum floor space standards and provide 4 double bedrooms (min of 11.5msq) and 1 single bedroom (min 7.5msq). It would meet the minimum gross internal floor area of 128m². The proposed new layout would improve the overall standard of accommodation which would accord with Policy DM1 of City Plan Part Two.

11. BIODIVERSITY/CLIMATE CHANGE

- 11.1 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, Policy DM37 of the Brighton & Hove City Plan Part Two and Supplementary Planning Document SPD11 Nature Conservation and Development.

11.2 The works would modernise and refurbish the existing building and makes better use of land. The larger glazing and rooflights would help to maximise the ingress of sunlight and daylight, reducing reliance on mechanical means.

12. EQUALITIES

12.1 Access to the site is via a sloped pathway, and as part of this proposal the external alterations would internally create an open plan living/ kitchen space and create one ground floor bathroom. This is supported insofar as it improves access for those with a mobility-related disability. The dwelling would continue to provide sufficient day-to-day living facilities on the ground floor for persons unable to use stairs, which is welcomed.

