

**Cllr Alistair McNair and Cllr Anne Meadows
BH2023/00136 – 10 County Oak Avenue**

8th March 2023:

Please accept this letter as our objection to this planning application.

We have four reasons for objecting to this submission: erected without planning permission; overdevelopment of site; overlooking of neighbour; disregard of local planning policies.

This is a retrospective planning submission. The owners of the property clearly have such little respect for the planning authority, the council and most importantly their neighbours that they feel they do not have to abide by the law and acquire permission before erecting this substantial extension to their property. This is not a small extension – the property now has six bedrooms instead of three. It is very disappointing that no description of the purpose of this extension has been shared with residents. Is this going to be a House of Multiple Occupancy – a student residence?

It is also not clear why this application is described as part retrospective. Neither the council nor neighbours received any warning of the build, and it now seems it is completed. Immediate neighbours in 112 Denton Drive were extremely inconvenienced with their property encroached by scaffolding, severe noise pollution, the air space above their property invaded, and the privacy of their property and garden lost throughout the duration of the works. Fig. 1 below gives a sense of the disturbance faced by neighbours during the work:



Fig. 1: view from 112 Denton Drive during the work

Fig 2 below gives some idea of the scale of the project and the scale and proximity to 112 Denton Drive.



Fig 2: view of development at 10 County Oak Avenue from 112 Denton Drive

This should not be tolerated. If it is, it will set a dangerous precedent with residents feeling they can also build large scale developments that affect a neighbourhood with impunity.

The extension is substantially larger than surrounding properties, and out of character. The front of the house is now a substantial façade, essentially a terraced housing development rather than two semi-detached houses (see Fig. 3).



Fig.3 Before and after pictures of 10 County Oak.

This property now has six bedrooms instead of the original three. The property does not provide enough parking to cope with the potential increase in the number of vehicles this property will now attract. County Oak Avenue and Denton Drive do not have adequate parking for existing residents, let alone adding a further potential three to six cars if each bedroom is used for a different couple, not including cars of visitors. The property is on County Oak Avenue, a narrow and busy road, and is opposite Carden Primary School. The size of this extension, and the increased number of cars it will attract, should not be allowed on such a busy and narrow thoroughfare where the safety of children is of particular concern.

The property encroaches on the privacy of neighbouring properties. Neighbours have lost a significant and unacceptable amount of natural light. Residents at 112

Denton Drive have lost natural light to their garden and also to their workshop. Skylights were put in so electricity was not needed when working on projects in their workshop. Electric light is now necessary as daylight is blocked out significantly.

Even worse, a new window directly overlooks the bedroom of 112 Denton Drive. If someone looked out of the neighbour's window, they would be able to see them lying in bed. This is clearly unacceptable. As can be seen in Fig. 4 below, the rear windows are extremely close to the back garden, greatly reducing privacy. It is important to mention County Oak Avenue is a steep road, and 10 County Oak Avenue is sited higher up than Denton Road, exacerbating the sense of overlooking.



Fig. 4: 10 County Oak overlooks the garden of 112 Denton Drive

We are of the opinion that the proposal would be contrary to Brighton and Hove City Plan Part One Policies CP12 (Urban Design), particularly with reference to achieving excellence in sustainable building design and construction (p.188) – we are concerned about the build quality, and whether the foundations can support a new floor built on an existing extension; and CP14 (Housing Density) – particularly with reference to:

Successful higher density development will depend upon a 'design-led' approach that respects its local context and minimises impacts on its surroundings. Higher density housing should also include measures that enable residents to make more informed and sustainable choices on transport, as set out in Policy CP9 Sustainable Transport (p.195)

Clearly this substantial development will severely affect the neighbourhood, bringing a substantial increase of vehicles. As far as can be seen, no cycle storage facilities have been added, although it is highly unlikely new residents would use bicycles instead of cars in this hilly part of the city. The development also clearly breaches guidelines in policy QD 27 (Protection of Amenity) of Brighton and Hove Local Plan, which states that

Residents and occupiers can be seriously affected by changes in overlooking, privacy, daylight, sunlight, disturbance and outlook.

112 Denton Drive has been very affected by overlooking, loss of privacy and sunlight, and if this is an HMO, they will undoubtedly suffer from noise and light disturbance given the extreme proximity of the extension to their home.

Let us reiterate that large developments such as this should not be allowed to be developed without proper consultation with the planning authority and residents – proper procedure has been completely ignored in this instance and allowing it to remain would set a very dangerous precedent.

Should the Local Planning Authority consider granting this application, I request that it is brought to Planning Committee for determination where we reserve our right to speak to our letter and the application.