

<b><u>No:</u></b>	<b>BH2023/02672</b>	<b><u>Ward:</u></b>	<b>Rottingdean &amp; West Saltdean Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>3 Westmeston Avenue Saltdean Brighton BN2 8AL</b>		
<b><u>Proposal:</u></b>	<b>Roof alterations and extension including raising the roof ridge height, erection of single storey front extension and two-storey rear extension. Widening of exiting vehicle crossover.</b>		
<b><u>Officer:</u></b>	Steven Dover, tel:	<b><u>Valid Date:</u></b>	12.10.2023
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	07.12.2023
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	31.01.2024
<b><u>Agent:</u></b>	EN Architects 171A Church Road Hove BN3 2AB		
<b><u>Applicant:</u></b>	Mr Filip Singh 3 Westmeston Avenue Saltdean Brighton BN2 8AL		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	001	A	12 October 2023
Block Plan	002	B	19 December 2023
Proposed Drawing	150	G	19 December 2023
Proposed Drawing	160	F	17 January 2024
Proposed Drawing	161	D	19 December 2023
Proposed Drawing	170	B	19 December 2023

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 first floor rear bathroom window and ensuite window in the west elevation of the development hereby permitted shall be obscure glazed, and non-opening unless the parts of the window 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 DM20 and DM21 of Brighton & Hove City Plan Part 2.

4. The development hereby permitted shall incorporate at least 3 (three) swift bricks within the external walls of the development 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.

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 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

6. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

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. The applicant should be aware that the site may be in a radon affected area. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE2011). Radon protection requirements should be agreed with Building Control. More information on radon levels is available at <https://www.ukradon.org/information/ukmaps>
3. Where asbestos is found/suspected on site, it will fall under the Control of Asbestos Regulations 2012, overseen by the Health and Safety Executive. Further information can be found here: HSE: Asbestos - health and safety in the workplace
4. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
5. 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 of approximately 5 metres above ground level, 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 where appropriate.

6. The applicant is advised that the application of translucent film to clear glazed panels does not satisfy the requirements of condition 3

## **2. SITE LOCATION**

- 2.1. The application relates to a detached bungalow located on the western side of Westmeston Avenue in Saltdean. The L-shaped property has a hipped roof, with a modest flat-roofed extension on the northern side elevation creating a bedroom at the rear and garage to the front. It has an existing 'loft bedroom' created through a large dormer on the rear roof slope. Off street parking is provided with a concrete front driveway. It is finished in a mixture of red brick/off white render and white uPVC fenestration, with red/brown tiles to the roof.
- 2.2. The road, Westmeston Avenue, is characterised by a lack of uniformity in the design, style, scale of properties and plot sizes, with a mix of one and two storey residential houses. The rear of the application site backs onto farmland which forms part of the South Downs National Park, and the property is visible from within the park.
- 2.3. The site is not located in a conservation area or subject to any article 4 directions regarding extensions or alterations. The site does lie within an Archaeological Notification Area and policy DM31 therefore applies.

## **3. RELEVANT HISTORY**

None for application site.

### **7 Westmeston Avenue**

- 3.1. BH2022/01280 - Erection of two-storey side and rear extension, alterations to fenestration, and associated works. Approved 18/07/2023

### **29 Westmeston Avenue**

- 3.2. BH2022/02995 - Remodelling of the house and installation of facilities for wheelchair use including the installation of a lift and new staircase. Approved 27/10/2022
- 3.3. BH2021/03352 - Remodelling of the house and installation of facilities for wheelchair use including the installation of a lift and new staircase. Approved 23/11/2021

### **Application description**

- 3.4. The application seeks permission for roof alterations and extension including raising the roof ridge height, erection of single storey front extension and two-

storey rear extension, with changes to the front boundary treatments. The works would alter the appearance substantially with the complete removal of the hipped roof, and new gables created to the front and rear, remodelled in a modern contemporary style with large areas of glazing.

- 3.5. The plans have been amended during the course of the application to reduce the bulk and massing of the development, and remove rear balconies and amount of rear fenestration, to minimize adverse amenity impacts to neighbouring properties.

#### 4. REPRESENTATIONS

- 4.1. Comments have been received from **six (6)** different interested parties objecting to the proposed development on the following grounds:

- Noise
- Overdevelopment
- Height
- Overshadowing
- Loss of daylight
- Out of character with area
- Insufficient parking
- Loss of views
- Demolition of existing building
- Loss of sunlight
- Incorrect calculations/conclusions in daylight and sunlight report

- 4.2. Comments have been received from **four (4)** different interested parties supporting the proposed development on the following grounds:

- In keeping with the diverse character of the street
- Good design
- Many bungalows remodelled
- Minimal overshadowing
- Design in keeping with recent developments in the road
- Good intensification of existing property

#### 5. CONSULTATIONS

- 5.1. **County Archaeology:** 14/09/2023 Comment

Based on available evidence, we do not believe that any significant archaeological remains are likely to be affected by this proposal.

- 5.2. **Brighton & Hove Archaeological Society:** 17/10/2023 Comment

Suggest County Archaeologist contacted for comment, due to finds in the area.

- 5.3. **Sustainable Transport:** 02/11/2023 Verbal Comment

- 5.4. The applicant is proposing the removal of the garage, and this means that a parking space will be lost. There appears to be space for one vehicle to park on

the hardstand without overhanging on the footway. Parking Standards SPD14 states a maximum of 1 car parking space for 3 - 4+ bedroom dwellings in outer areas. The proposed amount is within the maximum standards and therefore acceptable.

- 5.5. The removal of the garage means that a cycle parking space will be lost. SPD14 requires a minimum of 2 cycle parking spaces for 3 - 4+ bedroom dwellings. The plans show cycle parking storage to the southern elevation for two cycles. Further design details required, and we would therefore request a cycle parking scheme condition to be attached.
- 5.6. The proposed changes are likely to increase the number of trips to the location however, those are unlikely to generate significant reason for objection.

## **6. MATERIAL CONSIDERATIONS**

- 6.1. 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.
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
  - Brighton & Hove City Plan Part Two (adopted October 2022);
  - 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. RELEVANT POLICIES & GUIDANCE**

### 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 & 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
DM31	Archaeological Interest
DM33	Safe, Sustainable and Active Travel
DM37	Green Infrastructure and Nature Conservation

Supplementary Planning Document:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards
SPD17	Urban Design Framework

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1. The main considerations in the determination of this application relate to the design and appearance of the proposal and the impact upon residential amenity.

Design and Appearance:

- 8.2. This remodelling would require the complete removal of the existing hipped and flat roof, and its replacement with new two storey extensions and a substantial new dual gable ended roof scape. New rooflights would be provided to each side of the gable roof and in the centre. The garage would be converted and incorporated into the main living accommodation on the ground floor and extended above. The remodelling would have significant amounts of glazing to the front and rear in new positions on the proposed extensions, with Juliette style balconies to the first floor front.
- 8.3. The current building is finished with a mixture of red brick and white render to the elevations, with brown plain tiles to the pitched roof areas, and white uPVC windows and doors. The proposed remodelling would see the use of red brick on the ground floor and black timber cladding with cedar fins at first floor. It would have brown tiles on the pitched roof areas and black powder coated aluminium windows and doors, overall creating a contemporary appearance.
- 8.4. The existing property is located on a slope which runs downwards from north to south in this part of Westmeston Avenue, following the road. The host property is located between No.5 Westmeston Avenue to the north and No.1 Westmeston Avenue to the south, both of which are bungalows with No.5 having accommodation in the roof. Due to the gradient, the ridge height of No.5 is almost 2 metres higher than No.3, and No.1 has a ridge height approximately 1 metre lower than No.3. Therefore the properties currently step down in height roughly following the gradient of the road.
- 8.5. The proposed remodelling would retain this stepping down of ridge heights, albeit with a differing roof form and visual appearance, with a lower ridge height than No.5 and the proposed gables also stepping down in height across the site.
- 8.6. SPD12 states that:  
*"Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the streetscene, including its topography."*
- 8.7. The proposed works would result in a substantial increase in the size, bulk and massing over the existing property, and have been designed to accommodate the desired design and internal space rather than necessarily complement the

host property. The additional depth and height would be visible in views along Westmeston Avenue due to the siting and scale of adjoining properties. However It is considered that the proposed remodelled building when viewed from the street would not visually overpower the adjoining properties and continues to reflect the stepping down of ridge heights and eaves of buildings as you traverse south along the avenue. It is recognised that it would be a substantial increase in size over the existing dwelling, but it is not considered to be out of keeping with the area in terms of its scale.

- 8.8. The principle of roof alterations is acceptable, and the current design, although relatively complicated, would not bring any significant harm in the context of the mixed and varied streetscene, which is has no overriding vernacular that must be adhered too, and is not within a conservation area.
- 8.9. The proposed elevational treatments and use of increased glazing are not considered harmful to the host property and wider area, which exhibits varied fenestration designs and elevational treatments, with a very varied palette.
- 8.10. The proposal would create new bathrooms, study, gym, bedrooms, and living space (over 193 square metres total internal space) that would overall improve the internal standard of accommodation and is in accordance with policy DM1 of the Brighton and Hove City Plan Part Two.
- 8.11. The extensions and alterations are on balance considered to be suitable additions to the building that would not significantly harm its appearance or that of the wider area, in accordance with policy DM21 of the Brighton and Hove City Plan Part 2 and SPD12 guidance.

Impact on Residential Amenity:

- 8.12. A site visit has been carried out, which included internal and external access to the application property (No.3) and No.1 Westmeston Avenue to the south.
- 8.13. The substantial form of the works extending to the front, side and rear would lead to some increased impact on the neighbouring properties. The increased height and bulk of the second storey southern extensions would increase the enclosure and overshadowing of No.1 Westmeston Avenue. However as the extensions would not extend past the rear of this property, and would be set back from the boundary with a pitched roof form, and with the majority of works being adjacent to side elevations of the respective properties, the level of harm is not considered so substantial that refusal on this element is warranted.
- 8.14. It is acknowledged that the development would reduce the sky views from the northern kitchen windows with some loss of daylight, but the outlook would not be significantly diminished as the existing boundary between No.3 and No.1 currently has a high level close-boarded fence. The views and outlook to the west from the existing kitchen window of No.1 would remain unaltered. It is considered the multiple windows ensure sufficient light and outlook to the kitchen of No.1.

- 8.15. The proposed extensions to the north would result in an increased impact on No.5 Westmeston Avenue with a significant increase in bulk and massing on the boundary due to the new roof from erected over the current flat roof. However, the harm is not assessed as significantly harmful as the garage of No.5 is located on the boundary, with the main dwelling set back nearly 4 metres from the boundary fence. The degree of overshadowing and overbearing is therefore limited, with the drop in land levels to No.3 also lessening the effects. The windows on the southern elevation of the ground floor will lose some views to the south, but the outlook that remains is considered acceptable.
- 8.16. A daylight and sunlight report has been provided which examines the proposed development and concludes, using BRE guidance, that the levels of light/sunlight would still remain at an acceptable level to No.1 and No.5 Westmeston Avenue.
- 8.17. The increase in overlooking from the rear first floor, following considerable amendments to the plans, is now considered limited due to the size and design of the proposed bedroom windows, with the cedar fins providing further oblique screening to the south west. The amount of rear first floor clear glazing is now comparable to the existing situation (albeit located south of the current dormer position). The other new proposed windows at the rear would be obscured glazed and non-opening below 1.7m in height, which would be secured by condition. The proposed roof lights the side elevations would be high level or serving the proposed stairwell, providing skyward views, and are not considered to cause any significant overlooking. The front facing windows and Juliet balconies would be looking over front garden areas and the highway towards development on the other side of the road so would cause little, if any harm to amenity due to the high levels of existing mutual overlooking at ground and first floor for properties on the avenue, which would remain.
- 8.18. It is therefore considered, with proposed conditions, that the proposed extensions and works would not cause significant harm to amenity, in accordance with Policy DM20 of City Plan Part Two.

#### **Other Matters**

- 8.19. Concern has been raised in objections that the proposed development has too little parking provision. Highways Officers have confirmed the loss of the garage and provision of only one parking space is acceptable and meets the maximum requirements of SPD14 parking standards. Cycle parking details would be secured by condition.
- 8.20. Objections have been raised in respect of the complete demolition of the property following the serving of a demolition notice on adjacent properties by building control. The agent has clarified that the application is for remodelling and not complete demolition and rebuild, noting that the demolition notice was in relation to removal of the roof and partial external walls rather than the building in its entirety.
- 8.21. Comments have been made in relation to the methodology and calculations used for the daylight and sunlight report. The LPA has no reason to believe the



methodology or conclusion is fundamentally flawed. The sources of information state that Ordnance survey (OS) data, OS mapping and proposed drawings have been used to inform the report.

## **9. EQUALITIES**

- 9.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development.
- 9.2. The proposed development would remove the steps to the front entrance and provide level access, improving accessibility for those with mobility or visual impairments.

## **10. CLIMATE CHANGE/BIODIVERSITY**

- 10.1. The proposed works would modernise and increase the flexibility of an existing property and its energy efficiency. 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 bee brick within the proposal in order to help meet the requirements of policies CP10 of the CPP1 and DM37 of the CPP2 as well as SPD11.

## **11. COMMUNITY INFRASTRUCTURE LEVY & DEVELOPER CONTRIBUTIONS**

- 11.1. 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. 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.

