

<u>No:</u>	BH2017/00128	<u>Ward:</u>	Queen's Park Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	17 Barnfield Gardens Brighton BN2 0HQ		
<u>Proposal:</u>	Erection of part single part two storey rear extension with associated alterations		
<u>Officer:</u>	Jack Summers, tel: 296744	<u>Valid Date:</u>	23.01.2017
<u>Con Area:</u>	(Adjacent to Queen's Park)	<u>Expiry Date:</u>	20.03.2017
<u>Listed Building Grade:</u>	n/a	<u>EOT:</u>	20.09.2017
<u>Agent:</u>	n/a		
<u>Applicant:</u>	Mr & Mrs Albert Ginart 17 Barnfield Gardens Brighton BN2 0HQ		

Councillor Barford has requested this application is determined by the Planning Committee.

This application was deferred from Committee on the 13 September 2017 to allow Members to carry out a Site Visit.

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 Plan			19 January 2017
Block Plan			19 January 2017
Other	DRAWING NO. 3096/1		19 January 2017

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
Reason: In accordance with the provisions of Section 91 of The Town and Country Planning Act 1990 as amended by Section 51 of The Planning and Compulsory Purchase Act 2004.
3. 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.

- 4 The external finishes 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/HE6 of the Brighton & Hove Local Plan and CP12/CP15 of the City Plan Part One.

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's attention is drawn to particulars of the Party Wall Act 1996.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application site lies on the west side of Queens Park Terrace and southeast of Barnfield Gardens communal car parking. The host building is a two-storey semi-detached/ linked dwellinghouse with brick walls and tile roof. To the north and south of the site are nos. 16 (the attached dwelling) and 18 (the linked dwelling) Barnfield Gardens; to the east of the site is an access footway and then a high retaining wall. There is shallow landscaped forecourt and an amenity garden to the rear. The site lies to the west of (though not within the boundary of) the Queens Park conservation area and the proposed extension would face towards this area.
- 2.2 Planning permission is being sought for a part single/part two storey rear extension. The single-storey section will have a flat roof, whilst the two-storey section has a pitched, tiled roof matching the style and materials of the host dwelling. The extension has a proposed depth of approximately 3 metres from the rear wall of the original dwellinghouse.

3. RELEVANT HISTORY

- 3.1 None

4. REPRESENTATION

- 4.1 Three letters have been received (from one address) objecting to the scheme on the following grounds:
 - Loss of light to rear of property and subsequent effect on physical health
 - Anti-social behaviour and loss of the ability to monitor this
 - Out-of-character design

- Damage to existing flint wall on boundary with Queens Park Road
- Damage to existing foliage and green space
- Site traffic causing congestion and loss of parking
- Lack of space on site for building materials and tools

4.2 Councillor Karen Barford objects to the application, a copy of the letter is attached to the report.

5. CONSULTATIONS

5.1 **Arboriculture:** Support

The existing garden is quite small and currently supports a number of mixed shrubs plus a Torbay Palm and a very young Eucalyptus tree. These plants are of very limited amenity and their retention or otherwise should not be considered to be a material consideration when determining this application. Nothing of any public amenity value from an Arboricultural perspective will be lost to facilitate the development and therefore the Arboricultural Section has no objection to these proposals.

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 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);

6.3 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.

7. POLICIES

The National Planning Policy Framework (NPPF)

Paragraphs 2 (decisions in accordance with the development plan)

Paragraphs 7 & 11 (sustainable development)

Paragraphs 56 & 57 (design)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP2 Sustainable economic development

CP12 Urban design

CP13 Public streets and spaces

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

QD14 Extensions and alterations

QD27 Protection of amenity

8. CONSIDERATIONS & ASSESSMENT

8.1 This application was deferred at the Committee meeting on 13th September 2017 in order to allow for a site visit to be undertaken.

8.2 The main considerations in the determination of this application relate to:

- Design and Appearance
- Impact on Amenity

8.3 Design and Appearance:

The proposed single storey element of the proposal would have a flat roof and is utilitarian in appearance. Although a pitch roof would better complement the host building, the current proposal is at the rear and is not highly visible from the streetscene given the sunken site topography in relation to Queens Park Terrace, as well as a 2m flint boundary wall. The only public highway from which the proposal will be visible is a public footpath running along the southern boundary of no.19 from Queens Park Terrace.

8.4 The proposed two storey element would have double-pitched roof, mimicking the main roof of the existing dwelling; the ridge height of the two storey element would be 0.3m lower than the ridge of the host building and the proposal would therefore be subservient to the existing dwelling.

8.5 The proposed extension would be: (i) attached to east/ rear wall and right against side boundary with no. 18 Barnfield Gardens (at both ground and first floors); (ii) right against side boundary with no. 16 Barnfield Gardens (at ground floor) and set-in from that side boundary with no. 16 by 1.8m (at first floor).

8.6 The proposal is considered to disrupt the uniformity of the rear of the terrace but considering the low visibility of the site from any public highway due to the historic flint wall on Queens Park Terrace as well as the staggered nature of the properties, it would not adversely impact on the adjacent conservation area and is considered acceptable on balance.

8.7 Impact on Amenity:

The only property likely to suffer an impact on amenity would be number 16. At ground floor, the proposal projects rearward by 3m along the common side boundary; and at first floor the proposal is set-in from the common side boundary by 1.8m and set against a higher and deeper flank wall of number 18.

8.8 It is considered that the proposal is modest in scale and would be unlikely to seriously affect residential amenities of no. 16 Barnfield Gardens in terms of loss of light, loss of outlook or loss of privacy, especially given the existing rear

conservatory at number 16 extends to a similar depth as the proposal, and the two-storey addition would be seen in the context of a larger flank elevation behind.

- 8.9 The scale of the proposal would still leave remaining, a modest but usable amenity space to the rear of the subject curtilage.

9. EQUALITIES

- 9.1 None identified.

