

## PLANNING STATEMENT

### In support of planning application for a single storey, rear extension at 59 Tivoli Crescent, Brighton

1. The property is towards the northern end of Tivoli Crescent, on the western side, a street of 2/3 storey terrace houses, where the building footprint form is predominantly a main house with integral two storey rear projection (outrigger), alternatively back to back with neighbours.
2. Tivoli Crescent is also on a rise with the houses stepping along the street frontage.
3. The short northern end of the terrace (59-65) however is slightly later, where the building form does not include an integral rear projection (outrigger). No 59 is the first house at this change of built form at the rear, 57 having the rear projection (outrigger).
4. At this change of building form, there is a step in floor levels, with 59 set 300mm lower than 57, while 61 is set at the same level as 59.
5. At the rear there are patios, at more or less the house floor level, before garden levels rise to the rear boundary where there is a private access lane that leads to Tivoli Place.
6. The side boundary, at the rear, between 59 and 57 is an existing brick wall with horizontal slatted timber fence panels above the brick wall, the top of the fence panels set at 2200mm above the rear patio level of 59. The side boundary between 59 and 61 is a close boarded panel fence set 1800mm above the 59 and 61 patio levels, the fence being in a poor condition and in need of replacement in the near future.
7. Overall, this creates a particular challenge in proposing the plan form for a rear extension at 59 (and similarly for nos 61 - 65 in future), where following the 45 degree rule (in plan) referred to in the BHCC updated planning guidance for rear extensions, would result in a rear extension at 59 of less than full width, replicating a rear projection (outrigger) or a full width extension of only about 1 metre depth from the back wall.

8. A previous application by the householder for prior approval for a full width rear extension projecting 6 metres from the existing rear wall was refused, principally on loss of amenity to neighbours and lack of design detail.

9. This full planning application, for a different proposal, seeks to address the reasons for refusal and follow the BHCC updated guidance for rear extensions, introducing reasonable mitigation through design, where the application of the 45 degree rule, in plan, cannot be fully met, by:

- a) the 45 degree rule, in section, at rear windows in 57 and 61, and the 25 degree rule, in section at the side windows of the 57 rear projection (outrigger) are achieved by using a perimeter pitched roof form on the proposed extension with bottom of gutter (eaves) set at 2200mm above the patio level of 59 (as the existing slat fence panel/ brick boundary wall height),
- b) the sliding/folding doors to the patio are set in a rectangular rear 'bay' that is not the full width of the main extension, which itself is reduced to a 4.5 metre projection from the rear wall, with a further 1.1 metre projection to the reduced width, rear 'bay'.....  
this will mitigate fairly for the loss of some daylight amenity where the 45 degree rule, in plan, in full, cannot reasonably be achieved at the rear sitting room window at 57, or the kitchen window at 61,
- c) the outside face of the extension external side walls are set to allow the existing brick side boundary wall to 57 to be retained and the close boarded fence to 61 to be retained, in line with BHCC updated guidance.....  
no 61 has informally indicated that they may prefer the fence to be replaced by the extension wall and they themselves may be considering a rear extension in future that could abut, or share the proposed 59 extension wall...  
if these become submitted comments during the consultation stage, the planning case officer may decide to request amended plans at this boundary during the planning application process, prior to determination,

- d) although the roof and plan form of the proposed extension is not consistent with the rear projection (outrigger) form that predominates at the rear of Tivoli Crescent, no 59 is historically the change point where this built form ceases and a different approach can reasonably be justified, particularly to create a more usable and energy efficient addition to 59, but using external wall and roof materials that are consistent with both the main house, rear projections (outriggers) and the rear projections to houses opposite, at the rear.