

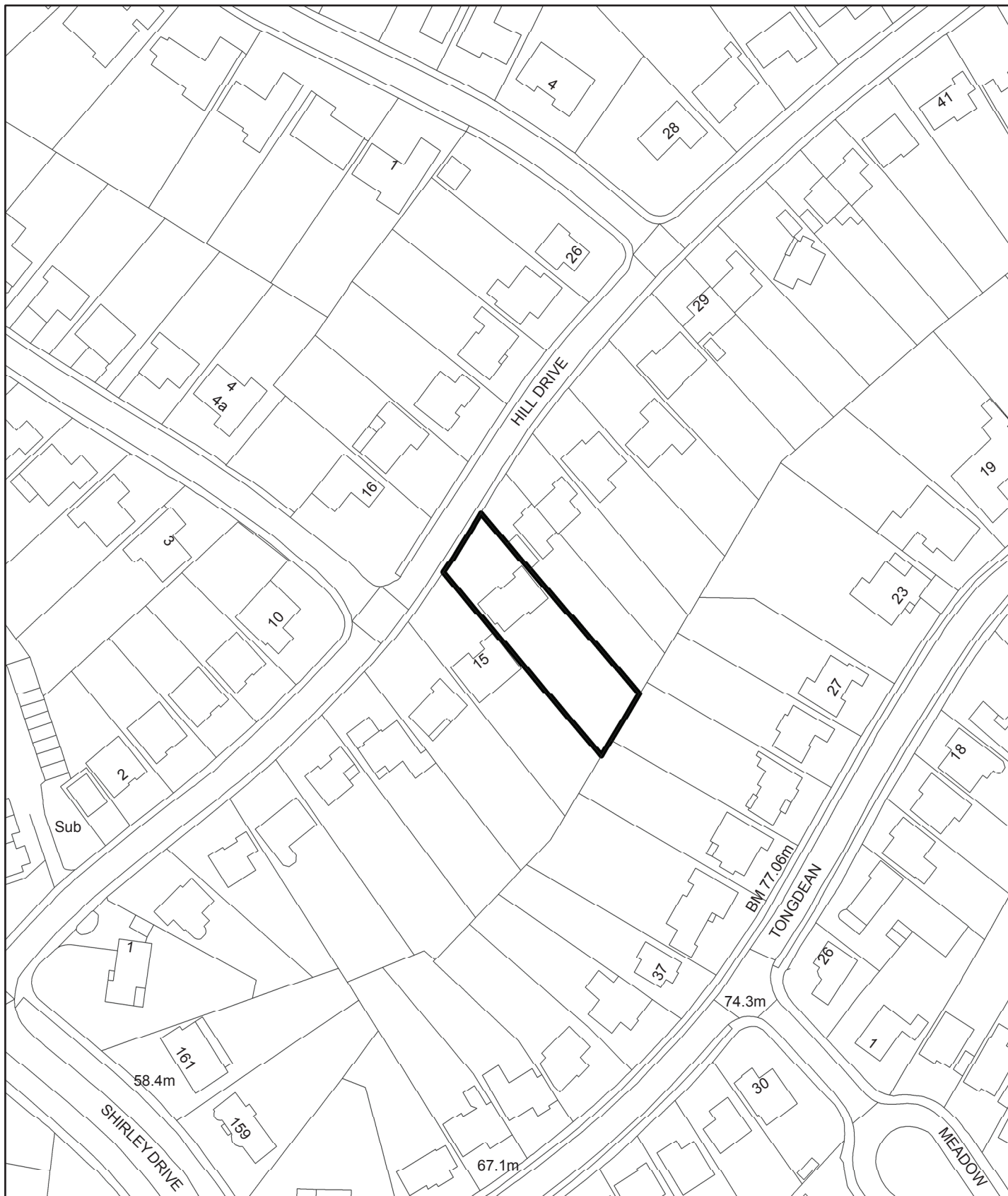
**PLANS LIST  
ITEM B**

**17 Hill Drive, Hove**

**BH2013/00370  
Full Planning**

**07 AUGUST 2013**

# BH2013/00370 17 Hill Drive, Hove.



Scale: 1:1,250

<b><u>No:</u></b>	<b>BH2013/00370</b>	<b><u>Ward:</u></b>	<b>HOVE PARK</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>17 Hill Drive Hove</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing dwelling and erection of a new 3 bed house.</b>		
<b><u>Officer:</u></b>	Guy Everest Tel 293334	<b><u>Valid Date:</u></b>	06/02/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	03 April 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Hogarth Architects, 186 Dawes Road, Fulham		
<b><u>Applicant:</u></b>	Mr Jonathan Paxton, 17 Hill Drive, Hove		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a detached bungalow on the south-eastern side of Hill Drive. The bungalow is set at a higher level than Hill Drive, with land levels rising to the north and west of the site. At street level the frontage of the site comprises off-street parking with a raised garden area. The rear of the property features an open swimming pool with stepped garden.
- 2.2 There is a variable building line in this section of Hill Drive. The existing building is set considerable further forward than the adjoining property to the south (no. 15), and is set back from the adjoining property to the north (no. 19). This arrangement makes the existing building prominent in views north along Hill Drive. Hill Drive is characterised by large detached properties of varying form and appearance set within relatively large plots.

## 3 RELEVANT HISTORY

**BH2012/01831:** Demolition of existing dwelling and erection of a new 3 bed house. Refused 28/09/2012 for the following reasons:-

1. *The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.*

2. *The development by reason of its height, bulk and proximity to the boundary would result in significant loss of light and outlook for occupants of 19 Hill Drive, to the detriment of their amenity. The development therefore fails to protect neighbouring residential amenity contrary to policy QD27 of the Brighton & Hove Local Plan.*
3. *The development by reason of extensive glazing to the southern elevation and an elevated roof terrace would create significant overlooking and cause a harmful loss of privacy for occupants of 15 Hill Drive, to the detriment of their amenity. The development therefore fails to protect neighbouring residential amenity contrary to policy QD27 of the Brighton & Hove Local Plan.*

**3/89/0838:** Rear extension to house swimming pool. Approved 29/11/1989.

**3/87/0442:** Double garage and ancillary landscaping works. Refused 07/07/1987 as the size and siting of the garage (in the front garden area) would have been visually obtrusive and detrimental the appearance and character of Hill Drive.

**M/4986/57:** Erection of a bungalow and garage. Approved 19/06/1957.

#### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the demolition of the existing dwelling and the erection of a replacement three-storey building. The three-storey section of the building would incorporate a gabled roof with a north-south ridgeline, with projecting flat-roofed sections to the front and side of the main building. A single-storey flat roofed side section of the building would incorporate a roof terrace. The building would feature render to all elevations with a slate roof.

#### **5 PUBLICITY & CONSULTATIONS**

##### **5.1 External:**

**Neighbours: Ten (10)** representations have been received from **18 Hangleton Lane; 13, 15, 18, 19, 20, 21, 23 Hill Drive; 31 Tongdean Road; and 83 Wayland Avenue** objecting to the application for the following reasons:-

- The external materials and appearance of the building is out of character for the area and does not follow the existing building line;
- Viewed from adjoining gardens the building would appear too high, extends too far back with massive and unattractive walls which would too visible;
- The front boundary treatment is inappropriate for the area;
- Loss of light;
- Loss of privacy;
- Noise disturbance from use of the balcony;
- The development would spoil the enjoyment of adjoining gardens;
- The proposal would set a precedent for future proposals;
- Loss of property value.

- 5.2 **Six (6)** representations have been received from **30 Croshaw Close (Lancing); 4 The Deanway; 61 Foredown Drive; 108 (flat 10) Lewes Road; 6 (flat 1) & 57 St Aubyns** supporting the application for the following reasons:-
- The design is innovative and would improve the area;
  - The existing building is out of keeping;
  - The City needs more houses like this.
- 5.3 **Cllrs Brown & Benett** object – see attached letter.
- 5.4 **Three (3)** letters of representation have been received from **Bryant Decorators, Galileo Pizzeria and Londis** supporting the application as good design and in keeping with the area.
- 5.5 **Brighton & Hove Archaeological Society:** The site lies within an area of archaeological sensitivity. Recommend contacting the County Archaeologist.
- 5.6 **Country Archaeologist:** The application site is within an Archaeological Notification Area defining an area of prehistoric activity. A Bronze Age cremation burial was found 70 metres from the site, suggesting that this section of the South Downs was utilised and settled during the Neolithic, Bronze Age, Iron Age and Roman periods.
- 5.7 There is a high potential for areas of undisturbed archaeology outside the footprint of the building, such remains are likely to be destroyed by the proposed development. In light of the potential archaeological interest of the site the proposals should be subject of a programme of archaeological works. This would enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded.
- 5.8 **Environment Agency:** No comments.
- 5.9 **Sussex Police:** No objection.
- 5.10 **Internal:**  
**Lifetime Homes Officer:** The dwelling should incorporate a canopy over the entrance door and leading edges to door openings.
- 5.11 **Transport:** No objections.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
- TR7 Safe development
- TR14 Cycle access and parking
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design - quality of development and design statements
- QD2 Design - key principles for neighbourhoods
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of Amenity
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes

#### Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD06 Trees & Development Sites
- SPD08 Sustainable Building Design

#### Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in favour of Sustainable Development

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main issues of consideration in the determination of this application relate to the impact of the proposed dwelling on the character and appearance of the street, and on residential amenity for occupiers of adjoining properties; transport and sustainability issues.

### **Character and appearance:**

- 8.2 The Urban Characterisation Study states that the character of the Hove Park area derives from 'large interwar and post war houses on generous plots set back from tree-lined roads'. The section of Hill Drive in which the application site is located is reflective of this character. It is considered that this setting is not so sensitive that a modern design, if well conceived and executed, would be detrimental to the prevailing character and appearance of the area. In this regard it is noted there are instances of recently renovated properties on the street which have introduced render and slate materials to an area otherwise dominated by brick and tiles.
- 8.3 The proposed three-storey building would incorporate a gabled roof with subservient flat-roofed side section to the south with render and slate the dominant materials. The roof form and use of material would reflect existing properties in this part of Hill Drive and is acceptable in principle. Although the placement of windows would contrast with the more ordered arrangement at adjoining properties the resulting uncomplicated appearance, if finished to a sufficiently high standard, would not be unduly harmful to the prevailing character and appearance of the area.
- 8.4 The key design concerns relate to the footprint, siting and height of the building in relation to immediately adjoining properties. As part of the application process amendments have been made to set the main body of the dwelling further back from the street scene (although a lower ground floor projection would continue to abut the front boundary) and revisions to fenestration to the front façade to reduce the apparent height of the building.
- 8.5 Whilst the amendments have improved the scheme it is considered that the resulting building would still appear unduly dominant and out of scale with adjoining development. This is primarily a result of the forward projection of the building and the presence of a projecting single-storey structure at street level. These design features reduce the space around the building and increase the apparent height of the building, particularly in views north along Hill Drive. There are further concerns that in creating a southerly aspect for the proposed dwelling the resulting window arrangement is partly relying on the front curtilage of no. 15 and would appear visually overpowering in views north and from this adjoining property.
- 8.6 It is considered that the development by reason of its form and scale in relation to adjoining properties and the wider surrounding area would create a sense of bulk that would harm the existing character and appearance of Hill Drive. The development is therefore considered contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

**Impact on amenity:**

- 8.7 The rear of 19 Hill Drive features window openings to a kitchen / diner and a small patio area leading to the (raised) main garden. A previous application on the site was partly refused due to the impact on light and outlook to this neighbouring property. In response to this earlier decision the depth and height of the proposed dwelling has been reduced. This reduction in depth and height, coupled with ground level changes within the rear garden of no. 19, is considered sufficient to ensure no significant harm to amenity for occupants of this adjoining property.
- 8.8 There is inevitably a degree of mutual overlooking from window openings at first floor level in this suburban area. As such whilst the development would result in additional overlooking to the rear garden of no. 19 this would not be unusual in this location and the resulting harm would not warrant refusal of the application.
- 8.9 The application site is to the north-east of 15 Hill Drive and as such there are no concerns regarding loss of light. The existing dwelling at no. 15 is set considerably further back than the proposed development and incorporates a front hardstanding and ground floor garage adjoining the boundary. As a result the proposed building would not impact upon any rear amenity space and windows to habitable rooms would not be compromised.
- 8.10 Whilst the proposal incorporates glazing to the side elevation, with a southerly aspect over no. 15, the resulting views would primarily be over a front driveway to the adjoining property (rather than internal rooms or important outdoor amenity space). It is therefore considered that no harmful loss of privacy would result for occupiers of this adjoining property.

**Other considerations:**

- 8.11 The development would create a family dwellinghouse with generous room sizes, natural light and outlook throughout. A sizeable garden area would be retained to the rear. There are no reasons why Lifetime Home standards could not be incorporated in the proposed design and if necessary this could be secured through condition.
- 8.12 Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08 'Sustainable Building Design' requires new dwellinghouses achieve Level 3 of the Code for Sustainable Homes (CSH). If necessary this could be secured through condition.
- 8.13 The County Archaeologist comments are noted and if necessary conditions could secure a watching brief for any archaeological remains affected by the development.

**9 CONCLUSION**

- 9.1 The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing



character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment.

## 10 EQUALITIES

10.1 The development should be built to Lifetime Home standards in the design.

## 11 REASON FOR REFUSAL / INFORMATIVES

### 11.1 Reasons for Refusal:

- The development by reason of its scale, siting and detailing would appear unduly dominant and create a contrast and sense of bulk which, in relation to adjoining properties and the wider surrounding area, would harm the existing character and appearance of Hill Drive. The development therefore fails to respond sufficiently to the scale, character and appearance of the existing built environment, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

### 11.2 Informatives:

- In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) 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.
- This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site location plan	L(-1) 100		06/02/2013
Existing Site Plan	L(-1) 101		06/02/2013
Existing Ground Floor Plan	L(-2) 101		06/02/2013
Existing Sections, A-A, B-B	L(-3) 101		06/02/2013
Existing Elevations ( <i>front and side</i> )	L(-4) 101		06/02/2013
Existing Elevations ( <i>rear and side</i> )	L(-4) 102		06/02/2013
Proposed Site Plan	L(-1) 301/2	A	10/06/2013
Proposed Lower Ground Floor	L(-2) 301/2		10/06/2013
Proposed Ground Floor Plan	L(-2) 302/2	A	10/06/2013
Proposed First Floor Plan	L(-2) 303/2	A	10/06/2013
Site Location Plan – as proposed	L(-1) 300		
Proposed Section A-A	L(-3) 301/2	A	10/06/2013
Proposed Section B-B	L(-3) 302/2	A	10/06/2013
Proposed Section C-C	L(-3) 303/2	A	10/06/2013
Proposed Section D-D	L(-3) 304/2	A	10/06/2013
Proposed Side Elevation	L(-4) 301/2	A	10/06/2013

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Proposed Side Elevation	L(-4) 302/2	A	10/06/2013
Proposed Front Elevation	L(-4) 303/2	A	10/06/2013
Proposed Rear Elevation	L(-4) 304/2	A	10/06/2013
Proposed Side Elevation – boundary wall elevation	L(-4) 305/2	A	10/06/2013

14<sup>th</sup> February 2013

Dear Guy

Re: BH2013/00370 17 Hill Drive, Hove

As Councillors for Hove Park Ward we are writing to strongly object to the above planning application which has changed little from the previous application that was refused under delegated powers.

The proposed house is still designed to face South towards the sea instead of facing Hill Drive as all the other houses do. This would be completely detrimental to the character and appearance of the street scene. It would also cause severe overlooking to No. 15 Hill Drive.

Because of the way this proposed house is sited it will project a long way along the rear garden on the boundary of No.19 Hill Drive. As No. 17 is to the South, this three storey house will block the sun from the patio of No. 19 and a large section of their garden where they like to sit.

The design of this house is still overly bulky and dominant as in the previous application.

If this application should be recommended for approval we would like it to go before the planning committee.

Yours sincerely

Cllr Vanessa Brown

Cllr Jayne Bennett

