

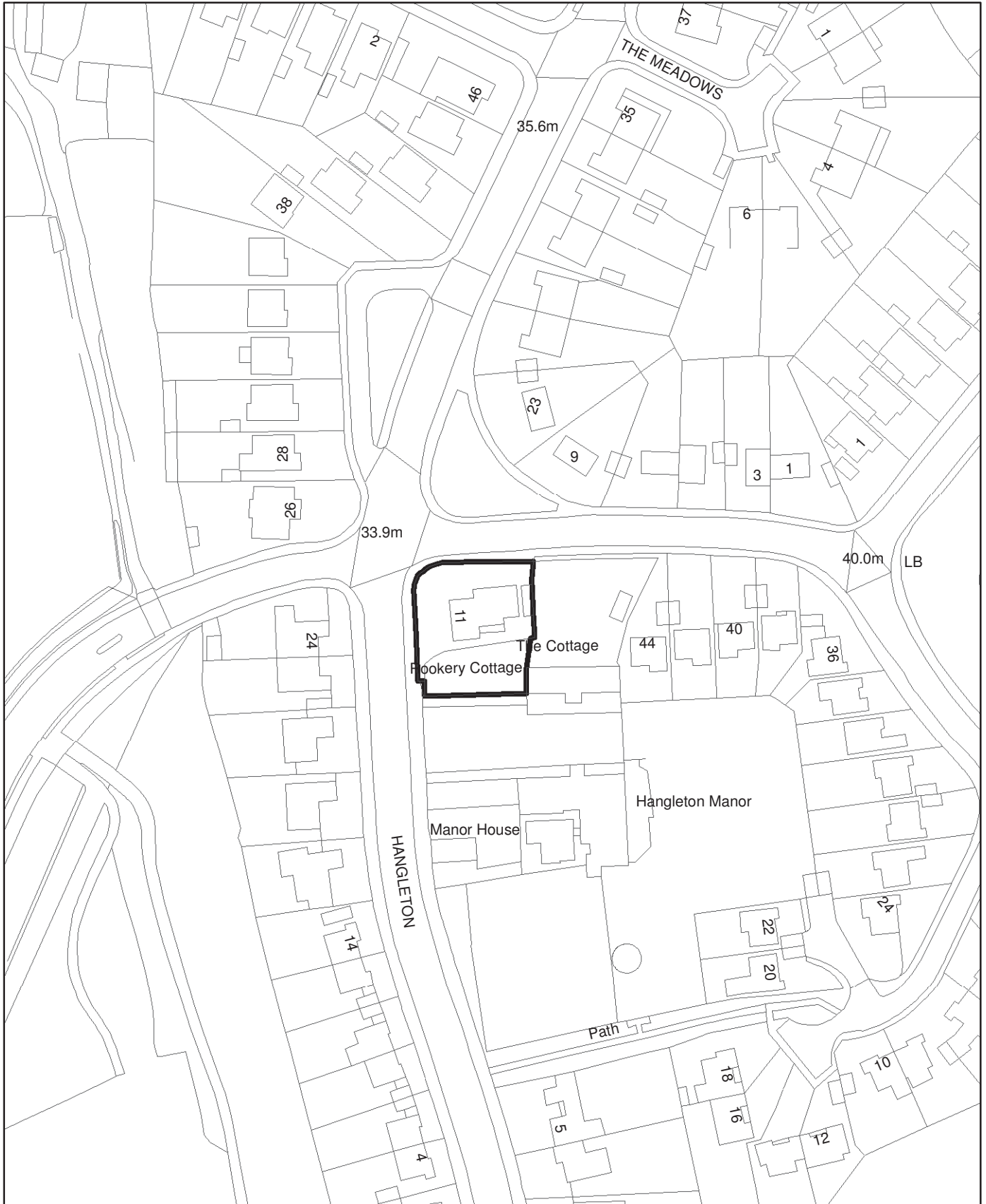
ITEM I

The Bungalow, 11 Hangleton Lane, Hove

**BH2013/01855
Full Planning**

28 AUGUST 2013

BH2013/01855 The Bungalow, 11 Hangleton Lane, Hove



**Brighton & Hove
City Council**



Scale : 1:1,250

<u>No:</u>	BH2013/01855	<u>Ward:</u>	HANGLETON & KNOLL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	The Bungalow 11 Hangleton Lane Hove		
<u>Proposal:</u>	Erection of single storey side, front and rear extension incorporating associated roof alterations.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	02/07/2013
<u>Con Area:</u>	Hangleton Manor	<u>Expiry Date:</u>	27 August 2013
<u>Listed Building Grade:</u> adj Grade II & Grade II*			
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Hove, BN3 1RD		
<u>Applicant:</u>	Mr Jerjes Philips, The Bungalow, 11 Hangleton Lane, Hove, BN3 8EB		

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 **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached bungalow located at the junction of Hangleton Lane and Hangleton Valley Drive, Hove, within the Hangleton Manor Conservation Area. The property has a stepped profile with a hipped roof and prominent chimney stack. A small detached garage sits to the east side.
- 2.2 The bungalow sits on a parcel of land bounded by Hangleton Lane and Hangleton Valley Drive to the north and west, and to the east and south by the original curtilage of The Cottage and Rookery Cottage, a Grade II Listed semi-detached building. The original side garden to the listed building now falls under the ownership of 11 Hangleton Lane, and forms an extension of their otherwise small rear garden. The original boundary wall to The Cottage and Rookery Cottage remains within the rear garden to 11 Hangleton Lane, and falls under the same Grade II listing. At its closest point the listed wall sits approximately 1m from the rear elevation of 11 Hangleton Lane. The site also forms part of the setting of Hangleton Manor further to the south, itself a Grade II* Listed Building.
- 2.3 To the west of the site are a run of similar detached and semi-detached bungalows fronting Hangleton Valley Drive, with a run of detached houses opposite. Directly to the east of the site are the main gardens to The Cottage and Rookery Cottage, which are set back from Hangleton Lane behind tall boundary hedges. Further to the east Nos 38 – 44 Hangleton Lane are a run of more modern detached houses that gradually step forward from the recessed building line to The Cottage and Rookery Cottage. To the rear of the site is the frontage and car park to the Grade II* listed Hangleton Manor.

3 RELEVANT HISTORY

BH2012/02882- Erection of single storey side, front and rear extensions incorporating associated roof alterations. Refused 03/01/2013 for the following reason:

- *The proposed development, by virtue of its increased bulk, form and prominence within the street, represent an incongruous set of additions to a sensitive site that would detract from the appearance of the Hangleton Manor Conservation Area, and the setting of the Grade II and Grade II* listed buildings adjacent, contrary to policies QD14, HE3 and HE6 of the Brighton & Hove Local Plan.*

BH2012/00417- Erection of single storey extensions to front, rear and side and installation of rooflights to south facing roofslope. Refused 26/04/2012

BH2011/02201- Erection of single storey side and rear extensions incorporating associated roof alterations. Approved 19/09/2011.

BH2010/00107- Creation of new residential dwelling. Refused 17/03/2010

BH2008/03212- Single storey side and rear extension. Approved 26/11/2008.

BH2008/01602 & BH2008/01884- Planning and Listed Building Consent for a new opening and gate to the Grade II listed garden wall for pedestrian access. Approved 12/08/2008.

BH2007/03756- Creation of opening to Grade II listed wall in relation to proposed new bungalow. Refused 29/11/2007.

BH2007/03755- Proposed bungalow fronting Hangleton Valley Drive. Refused 29/11/2007.

4 THE APPLICATION

- 4.1 The application is a resubmission following the above refusal and again seeks planning permission for the demolition of the side garage and the construction of single storey extensions to the front, east side and rear elevations.

5 PUBLICITY & CONSULTATIONS

External:

- 5.1 **Neighbours:** None received
- 5.2 **County Archaeologist:** Comment. In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of *programme of archaeological works*. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded.
- 5.3 **Archaeological Society:** Comment. Hangleton and the surrounding area has a number of archaeological records including being the site of some deserted medieval villages, and the location of a Saxon burial. The Benfield valley was the subject of archaeological investigation prior to the creation of the Brighton bypass. The proposed development may possibly reveal some vestige of the Saxon or medieval period and as such the Brighton & Hove Archaeological

Society would suggest that you contact the County Archaeologist for his recommendations

- 5.4 **Conservation Advisory Group: Objection**. The Group recommend refusal due to the inappropriate nature of the proposal in relation to Hangleton Manor and Conservation Area. The Group noted the increased scale, the proximity to the Manor and the previous Planning Inspectorate comments contained in APP/Q1445/A/10/2131097. In light of the views expressed, the Group requested that if the officers determined this matter under delegated powers and approved the application, then the matter should be referred to the Planning Committee

Internal:

- 5.5 **Heritage: No objection**
- 5.6 **Sustainable Transport: No objection**

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:

QD14	Extensions and alterations
QD27	Protection of Amenity
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Document:

SPD12	Design guide for extensions and alterations
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Brighton & Hove City Plan Part One (submission document)

CP12	Heritage
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed extensions on the appearance of the building and wider conservation area, the amenities of neighbouring properties, and the setting of neighbouring listed buildings and boundary wall.
- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings will only be granted if the proposed development:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be. Policy HE6 specifically relates to development within conservation areas, requiring (amongst others) a consistently high standard of design reflecting the scale and character of the area, and no harmful impact on the townscape and roofscape of the conservation area. Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted. Policy HE3 states that proposals that would have an adverse impact on the setting of listed buildings will not be permitted.

- 8.4 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Design and Appearance:

- 8.5 The site falls within the Hangleton Manor Conservation Area and within the setting of the adjacent Grade II listed Rookery Cottage and The Cottage, which was originally an outbuilding (probably the gatehouse) of the Grade II* listed Hangleton Manor beyond. No.11 Hangleton Lane forms a post-war detached hipped roof bungalow set in isolation from the surrounding development within a small but prominent corner plot between the listed cottages and the junction of Hangleton Lane and Hangleton Valley Drive. Although sitting considerably beyond the general building line formed from Rookery Cottage through to 38 Hangleton Lane, the bungalow is modest in scale and appears relatively subservient set back in its plot. Its simple 'L' shape form provides a suitable degree of visual interest without appearing excessively dominant within the street or overpowering views beyond to the listed buildings. Notwithstanding this, its very presence forms an anomalous structure that detrimentally impacts on the original historic setting of the listed buildings.
- 8.6 The application seeks planning permission for front, rear and side extensions to the property. Planning permission has previously been granted for a 3m deep rear extension and a hipped roof extension to the east side of the building under BH2011/02201. The rear and east side extensions remain as approved and no harm is again identified with regard these aspects of the scheme. This application seeks permission to extend the existing recessed west frontage forward by 2m with the pitched roof above extended accordingly. As amended, the plans detail that the main roof of the building would be no higher than current, with the existing chimney stack retained within the extended roof.
- 8.7 The previous application (BH2012/02882) sought permission to bring the approved side extension forward of the main building, with a matching projection to the west side and an enlarged chimney stack. This application was refused on appeal owing to concerns that the proposed forward projections of the building would serve to detract from and obscure views of the listed buildings to the rear. Specifically, the Inspector noted that *'the increased scale may not greatly impede views of the listed buildings'*, however *'by introducing 'a more dominant structure in the foreground of views of the ...listed buildings... would detract further from their settings'*.
- 8.8 This application has responded to these concerns by reducing the scale of the east side extension back to that previously approved, and similarly setting the front extension to the west side back behind the main building line. The chimney stack would now remain as existing. It is considered that the cumulative impact and reduced massing of the proposed works is sufficient to ensure the satisfactory preservation of views over the building towards the listed buildings behind. Whilst the resultant building would have an increased massing, this would be formed by extensions that would be subordinate to the existing

building and retain its recessive appearance in the street. As such it would not have a significantly more dominant presence in views of the listed buildings than existing.

- 8.9 For these reasons the proposed development is now considered to accord with policies QD14, HE3 & HE6 of the Brighton & Hove Local Plan.

Impact on Amenity:

- 8.10 The proposed extensions would not result in the loss of light or the overlooking of the adjacent properties, in accordance with policy QD27 of the Brighton & Hove Local Plan.

Other Matters:

- 8.11 As detailed above, the rear extension is set away from the Grade II listed boundary wall to the south by a minimum of 1 metre. The Heritage Officer considers that it is necessary for the listed wall to be protected by condition during building works. This is consistent with the previous approved schemes. In the event planning permission is granted a condition should be attached requiring the submission of a method statement detailing appropriate protective measures during the course of construction works.
- 8.12 The County Archaeologist has identified that the site is within an Archaeological Notification Area defining the medieval and post-medieval manorial complex of Hangleton. A programme of archaeological works is requested via condition in the event planning permission is granted. Given the number of extensions proposed incorporating excavations to the front, side and rear of the building, it is considered expedient to request such a programme in the event permission is granted.

9 CONCLUSION

- 9.1 The proposed extensions will not cause significant harm to the residential amenity of neighbouring properties, and the visual impact of the additions will not detract from the character and appearance of the property, the setting of the surrounding listed buildings, or the wider conservation area, in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) 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.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Existing site plan	11HL.01	-	07/06/2013
Existing block plan	11HL.02	-	07/06/2013
Proposed site plan	11HL.03	-	07/06/2013
Proposed block plan	11HL.04	-	07/06/2013
Existing plans and elevations	11HL.06	-	07/06/2013
	11HL.07	-	07/06/2013
Proposed plans and elevations	11HL.12	-	31/07/2013
	11HL.13	-	31/07/2013
	11HL.14	-	31/07/2013

- 3) 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 and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.
- 4) No development shall take place until a method statement setting out how the existing listed boundary wall is to be protected, maintained and stabilised during and after demolition and construction works, has been submitted to and approved in writing by the local planning authority. Works shall be carried out in strict accordance with the approved method statement.
Reason: To ensure the satisfactory preservation of the listed wall and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 5) No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the developer has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.
Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

11.2 Informatives:

- 1) 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

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Planning Authority seeks to approve planning applications which are for sustainable development where possible.

- 2) This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The proposed extensions will not cause significant harm to the residential amenity of neighbouring properties, and the visual impact of the additions will not detract from the character and appearance of the property, the setting of the surrounding listed buildings, or the wider conservation area, in accordance with development plan policies.