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# Appeal Decision

Site visit made on 23 April 2013

**by R J Marshall LLB DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 16 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2194021**

**The Bungalow, 11 Hangleton Lane, Hove, BN3 8EB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr J Phillips against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/02882 was refused by notice dated 3 January 2013.
  - The development proposed is erection of single storey side, rear and front extensions incorporating associated roof alterations.
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## Decision

1. The appeal is dismissed.

## Main issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the Hangleton Conservation Area and on the setting of listed buildings.

## Reasons

3. The appeal property is a detached bungalow of 1960's style. The principle impact of the proposed extensions would be their proposed forward projection and associated changes to the roof and the enlargement of an already substantial feature chimney.
4. The site lies in a corner location in a suburban area comprising a mix of houses and bungalows. Within this suburban area is the Hangleton Conservation Area. The appeal site lies just within its boundaries and in the limited part of that area incorporating relatively modern road frontage housing. However, close to the site lies the grade II star listed Hangleton Manor Inn and The Old Manor House, the earliest part of which dates from the late 15<sup>th</sup> Century, and the grade II listed The Cottage and Rookery Cottage dating from the 16<sup>th</sup> Century. Of these only the grade II star listed building is mentioned in the Conservation Area appraisal. However, The Cottage and Rookery Cottage also add substantially to the attractiveness of this designated area. A key view of these buildings is from across the car park of the grade II star listed building. However, pleasing views, albeit more limited, are also obtained of both buildings from areas in which the appeal site lies in their foreground.
5. That part of the Conservation Area that extends north eastwards away from the appeal site and the listed buildings comprises a spacious open area, following historic field boundaries. This area links Hangleton Manor Inn and

The Old Manor House to St Helen's Church which is the oldest architectural structure in Hove or Brighton.

6. The Conservation Area appraisal says that it is unfortunate that Nos. 24 -44 Hangleton Lane visually disturb this connection. These are the frontage houses within the Conservation Area in the vicinity of the appeal site. The location of the appeal building is such that it does not have the same effect on the connection between the listed buildings and the church. It does, however, along with most of the surrounding suburban housing, detract from the immediate historic semi-rural setting of the listed buildings. That said the appeal property is a reasonably unobtrusive and attractive design which minimises this harm.
7. The proposed extensions, by bringing the building further forward, extending it to the east and adding to the bulk and mass of the roof, may not greatly impede views of the listed buildings. Nor would it be greatly viewed over the hedge between The Cottage and Rookery Cottage. However, by introducing a more dominant structure in the foreground of views of the grade II and grade II star listed buildings in views from the west and north-west it would detract further from their settings. Furthermore, although in many respects the proposed extensions would accord acceptably with the design of the appellant's bungalow it introduces a notably dominant and intrusive feature chimney that would look most out of keeping and which lacks the more pleasing restraint of the existing chimney feature. This adds further to the harm identified.
8. The proposed development would thus detract from the setting of the listed buildings and in so doing would detract also from the character and appearance of the Conservation Area which derives much of its appeal from them and their setting. I am of this view notwithstanding the support from some locally to the proposal.
9. In arriving at this view I have noted that extensions to the appeal building have already been permitted and are unimplemented. However, their impact would be less than the development now proposed and the existence of these permissions does not justify allowing the appeal.
10. It is concluded that the proposed development would harm the character and appearance of the Hangleton Conservation Area and the setting of the 2 listed buildings referred to. As such it would conflict with Policies QD14, HE6 and HE3 of the Brighton and Hove Local Plan (2005) in so far that they seek to prevent such harm. It would also be contrary to the statutory duty to have special regard to the desirability of preserving the setting of listed buildings and preserving or enhancing the character or appearance of Conservation Areas.

### **Conclusion**

11. For the reasons given above it is concluded that the appeal should be dismissed.

*R J Marshall*

INSPECTOR