

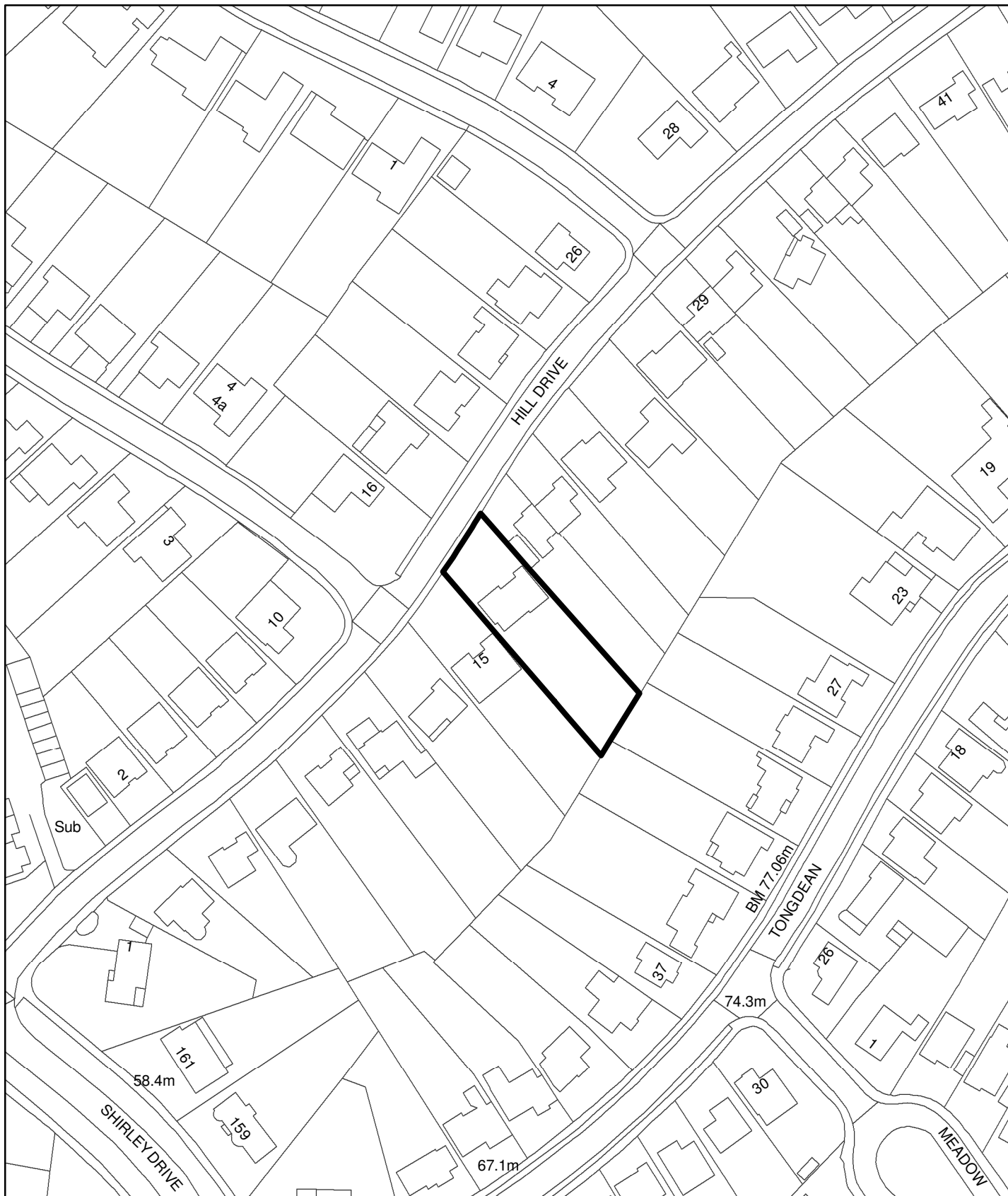
ITEM D

17 Hill Drive, Hove

BH2013/03702
Full planning

29 JANUARY 2014

BH2013/03702 17 Hill Drive, Hove.



**Brighton & Hove
City Council**



Scale: 1:1,250

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<u>No:</u>	BH2013/03702	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	17 Hill Drive Hove		
<u>Proposal:</u>	Erection of 4no bedroom house with garage to replace existing bungalow.		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	04 November 2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	30 December 2013
<u>Listed Building Grade:</u> N/A			
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Hove BN3 1RD		
<u>Applicant:</u>	Jonathan Paxton, 17 Hill Drive, Hove BN3 1QD		

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 considerably 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

BH2013/00370 Demolition of existing dwelling and erection of a new 3 bed house. Refused 15/08/2013 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, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.*

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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 two-storey building with lower ground floor entrance and garage accommodation.
- 4.2 This application follows recently refused applications for the redevelopment of the site. The applicant has employed a new architect team and the current proposal represents a new design approach, compared to the two previous submissions. The house would be flat roofed and have a combination of Staffordshire blue brick and a white render arch to the garage and storage area at lower ground floor level, and 2 storeys above containing the main residential accommodation formed of a white rendered facade to the north and to the south a Prodema rainscreen cladding system

5 PUBLICITY & CONSULTATIONS

**External
Neighbours:**

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- 5.1 **Seven (7)** letters of representation have been received from **15, 19, 20, 23, Hill Drive, 31 Tongdean Road, 83 Wayland Avenue, 18 Hangleton Lane**, objecting to the application for the following reasons:
- The development is not in-keeping with its surroundings,
 - The size of the dwelling is excessive,
 - The arch and blue bricks dominate the street elevation,
 - The development will cause overlooking,
 - It extends too far to the rear of the site and would have an unacceptable visual impact from nearby back gardens,
 - The extension to the rear is too bulky, too high and dominant,
 - It would result in loss of light to neighbours,
 - The house is also used for business use which would result in increased noise and disturbance in the residential area,
 - There is a shortage of bungalows in the area.
- 5.2 **Ten (10)** letters of representation have been received from **9, 15, The Beeches, 9, 16, Tongdean Road, 69 Hove Park Road, 16 Hill Drive, 47 Woodruff Avenue, 59 Queen Victoria Avenue, 4 The Deanway, 1 Woodland Drive**, supporting the application for the following reasons:
- the design is modern, interesting and should be welcomed,
 - the existing house is in need of improvement and lets the area down,
 - it will be an improvement to the overall area.
- Internal:**
- 5.3 **Councillor Jayne Bennett and Councillor Vanessa Brown** object to the application – email attached.
- 5.4 **Sustainable Transport: No Objection**
- 5.5 **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.
- 5.6 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.

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.”

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- 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) is a material consideration.
- 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.
- 8.2 The National Planning Policy Framework, published in March 2012 provides national guidance on determining planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF requires good design which should contribute positively to making places better for people.

Character and Appearance

- 8.3 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. The existing bungalow is relatively modest in size and there is no objection to the principle of demolishing the existing accommodation and the principle of redeveloping the site with a larger dwelling.
- 8.4 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. Many of the redeveloped properties make a modern and sometimes contrasting addition to the street scene although which have a degree of reference to existing properties in the vicinity.
- 8.5 It is proposed that the new building would be largely constructed on a similar front building line to that of the existing bungalow which is considered to be the right approach for the site and would overcome the concerns with the last applications over the building line. This would also maintain the staggered building line and a degree of openness to the front curtilage of the property. The property would be accessed at lower ground floor level with garage accommodation occupying the width of the site.
- 8.6 This lower ground floor level would extend further forward from the principle elevation but would not breach the building line and would leave sufficient space from the back of the highway. The design proposes this to be a flat roof structure constructed with blue brick features a rendered arc. These materials would be viewed as alien to the street and add prominence to this part of the design.

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- 8.7 One of the defining features of the design of the new house is the proposed flat roof. This is in stark contrast to the pitched roofs which dominate the street. Furthermore, given that the application site is on sloping land, the pitched roofs of the existing properties in the street provide a degree of rhythm in the longer views up and down the hill. Although in absolute terms, the height of the new dwelling does draw reference from the ridge heights of the neighbouring properties, these properties have conventional pitched roof forms which limit the bulk and form of the properties at roof level. The proposed roof form and use of materials would not reflect any characteristics of the existing properties in this part of Hill Drive. Furthermore the design of the house relies on provision of large fenestration on the top floor level which gives the top storey of accommodation prominence over the floors below, which again is discordant to the character of the area.
- 8.8 The west elevation of the new building would be viewed prominently in views looking up Hill Drive given that no.15 Hill Drive is set back on the building line. This is a flank elevation without any visual relief or set-backs and with large windows proposed for this elevation and this would appear quite dominant in the context of local built form.
- 8.9 It is considered that the development by reason of its design form and scale in relation to adjoining properties and the wider surrounding area would create a dominant and visually intrusive development 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:

- 8.10 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.
- 8.11 The application site is to the north-east of 15 Hill Drive and as such there are no concerns regarding loss of light to this property. 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.
- 8.12 The design of the west elevation relies on outlook over the front curtilage of no.15 Hill Drive. This is not uncommon for the area when the plot layouts rely on staggered building lines, and although the side windows of the proposed new house would be larger than the size of conventional windows seen in this residential area, it is not considered that the development would cause a significant loss of privacy to 15 Hill Drive.
- 8.13 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

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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.

8.14 In order to minimise instances of overlooking to no.19 Hill Drive the proposal incorporates high-level translucent glazing along this elevation. For this reason it is not considered that the development would result in a loss of privacy to the occupiers of this adjoining property. The main concern with this application in regards to the impact comes from the rearward projection of the house relative to this neighbouring property. The proposal would see the flank wall of the new property rise vertically for two storeys close to the boundary. This wall would project a further 6 metres into the rear garden compared to the existing bungalow. This elevation would be overbearing and visually intrusive when viewed from the neighbouring property.

8.15 The development by virtue of the bulk, form and projecting significantly to the rear curtilage of the property would be visually intrusive and cause an increased sense of enclosure for occupiers of no.19 Hill Drive and is contrary to policy QD27 of the Brighton & Hove Local Plan

8.16 Sustainable Transport:

The development would incorporate garage accommodation at the lower ground floor level to car parking. There would also be ample space on site for cycle parking. The Sustainable Transport Team has no concerns regarding the application in terms of highway safety or highway capacity

Other considerations:

8.17 Representations have been received from neighbouring occupiers regarding commercial activity on the site. The site visit did not reveal any significant business activity arising from the development and the property was being used as a residential house.

8.18 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, in the event planning permission was granted.

8.19 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, in the event planning permission was granted.

8.20 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 design 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 design character and appearance of the existing built environment. Furthermore the rear projection of proposed property relative to 19 Hill Drive is excessive and would result in an unduly dominant building which would be visually intrusive and overbearing on the occupiers of this property

10 EQUALITIES

- 10.1 There is the opportunity for the development to meet Lifetime Homes Standards in accordance with policy HO13 of the Brighton & Hove Local Plan

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development by reason of its design, scale 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 character and appearance of the existing built environment, and is contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

2. The development by virtue of the bulk and form projecting significantly to the rear curtilage of the property would be visually intrusive and cause an increased sense of enclosure for occupiers of no.19 Hill Drive and is contrary to policy QD27 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 Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site Location Plan	HD01		30 th October 2013
Block Plan	HD.02	b	1 st November 2013
Proposed Block Plan	HD.02		1 st November 2013
Existing Plans	HD.04		30 th October 2013
Existing Sections	HD.05		30 th October 2013

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Existing Street Elevations	HD.06		30 th October 2013
Existing Elevations	HD.07		30 th October 2013
Existing Rear Elevations	HD.08		30 th October 2013
Site Plan Proposed	HD.09		30 th October 2013
Proposed Garage /entrance Level	HD.10		30 th October 2013
Proposed Ground Floor Plan	HD.11		30 th October 2013
Proposed First Floor Plan	HD.12		30 th October 2013
Proposed Roof Plan	HD.13	a	25 th November 2013
Proposed Elevations (side)	HD.14		25 th November 2013
Proposed Rear Elevation	HD.15		30 th October 2013
Proposed Street Facing elevation	HD.16		30 th October 2013

From: Vanessa Brown
Sent: 24 November 2013 15:55
To: Clare Simpson
Subject: BH2013/03702

Dear Ms Simpson

Ref: BH2013/03702 17 Hill Drive Hove

As the Ward Councillors we are writing to strongly object to this planning application. It is an overdevelopment of the site.

The flat roof is completely out of character with the other houses in the road which all have traditional tiled pitched roofs. The flat roof is virtually as high as the pitched roof further up the hill at No. 19 making it look very dominant and bulky. It would have a very detrimental effect on the street scene.

This application extends much further into the back garden than the existing house and the houses on either side, and as it is so high it will affect the amount of light and sun on the back patio and rooms of No. 19. It will also give the residents a feeling of enclosure.

If this application should be recommended to be passed we would like it to go before the planning committee and we would like the opportunity to speak at the committee meeting.

Yours sincerely

Vanessa Brown

Jayne Bennett