

Planning and Listed Building Consent for the Demolition of the Existing Garage and Erection of New Guest Accommodation, Cycle Store, Widening of Drop Kerb Access, Together with Relocation of Pier, Formation of New En-Suite Bathroom and Opening at First Floor, New Doors at Ground Floor and Internal Alterations to Widen an Existing Opening

**7 Clifton Hill, Brighton,
BN1 3HQ**

November 2023

Planning, Design & Access (Incorporating Heritage) Statement

CONTENTS	PAGE
Introduction	2
Site and Surroundings	3
Planning History	4
Planning Policy	5
National Planning Policy Framework	5
Brighton & Hove City Plan Part 1	7
Brighton & Hove City Plan Part 2	7
Proposed Development	8
Considerations	10
Conclusion	13

INTRODUCTION

DOWSETTMAYHEW Planning Partnership is instructed by our clients, Charlotta Cole Hatvany and Sandor Hatvany, to submit a Planning and Listed Building Consent application for changes to their family dwelling at 7 Clifton Hill, Brighton, BN1 3HQ.

The development includes demolition of the existing garage and erection of a new structure that would be used for guest accommodation and a games room, incidental to the enjoyment of the existing dwelling. The development also incorporates the widening of an existing access, together with its surface improvement; a new cycle store; and internal alterations, that include the widening of existing openings and formation of a new door at first floor.

7 Clifton Hill is a Grade II Listed building, together with the piers surrounding its curtilage. The site lies within the Clifton Hill Conservation Area.

The building currently comprises basement, ground floor and first floor, under a traditional pitched roof, that was constructed in circa 1840. The building is stucco rendered and the roof is tiled in slate.

There is a separate detached garage not noted on the Listing description that is blockwork and render, with a modern garage door. The structure is presently flat roofed and attached to the neighbouring property on Clifton Road.

The application should be read in conjunction with the follow drawings:

- Existing Site Location Plan, Drawing No. 874.01.010;
- Existing Block Plan, Drawing No. 874.01.020;
- Existing Site Plan (Topo), Drawing No. 1215-05-SVY Rev I;
- Existing Basement Floor Plan, Drawing No. 1215-9-SVY Rev I;
- Existing Ground Floor Plan, Drawing No. 1215-10-SVY Rev I;
- Existing First Floor Plan, Drawing No. 1215-11-SVY Rev I;
- Existing Elevations, Drawing No. 1215-30-SVY Rev I;
- Existing Internal Elevations A-I, Drawing No. 1.05;
- Existing Internal Elevations J-O, Drawing No. 1.06;
- Proposed Site Plan, Drawing No. 1215 05 Rev I;
- Proposed Ground Floor Plan, Drawing No. 1215 13 Rev J;
- Proposed First Floor Plan, Drawing No. 1215 11 Rev I;
- Proposed North West Elevation, Drawing No. 1215 30 Rev I;
- Proposed South West Elevation, Drawing No. 1215 31 Rev I;
- Proposed North East Elevation, Drawing No. 1215 32 Rev J;
- Proposed Internal Drawings - Kitchen/Dining, Drawing No. 1215 33 Rev J;
- Proposed Internal Drawings - Main Bedroom/En-Suite, Drawing No. 1215 34 Rev I; and
- Positive Alterations and Reinstated Details in Living Room, Drawing No. 1215 51 Rev I.

SITE AND SURROUNDINGS

The application site is made up of the dwelling and curtilage of 7 Clifton Hill, Brighton, BN1 3HQ. It lies on the junction of Clifton Hill and Clifton Road, with its principle entrance onto Clifton Hill. Vehicular entrance is gained via Clifton Road, where there is an existing poor quality crossover and sliding gate, beyond which is a parking area and access to the existing garage.

The building is stucco rendered, two storeys (plus basement), under a slate tiled roof. The roof is double pitched with a valley gutter running broadly east-west.

The garage to the rear is a single storey structure with a flat roof, the front of the structure is block and render that has been painted white to blend in with the stucco on the main building. To the front of the garage is a large concrete pad used for vehicle parking set behind a sliding gate.

The curtilage is bound by a rendered wall. There are a number of structural plants and hedging within the front garden. Set on top of the wall is a cast iron railing which is more evident on the eastern side fronting Clifton Hill. This detail is also apparent in the pedestrian gate leading to the front door of the property.

On the south side of Clifton Hill are a number of small shops, including a cafe and convenience store. On the opposite side of Clifton Road is The Crescent Public House.

Clifton Hill contains mid 19th Century buildings, with a dominance of stucco rendered facades. Whilst the majority are two and three storey terraced houses. A number of properties have a small set back from the road, especially in the streets running north, with front gardens.

On Clifton Hill there is parking on the north side of the road, whilst in Clifton Road, parking is possible on both sides of the street.



View from Powis Road



View of Clifton Hill Looking East

PLANNING HISTORY

Set out below is the associated planning history of the site:

BH2008/02680 - Alterations to driveway access and garden. Conversion of window into doors onto new balcony - Approved 10/11/2008.

BH2008/02681 - Listed building consent for external alterations to driveway access and garden. Conversion of window into doors onto new balcony. Internal alterations including alterations to staircase and doors - Approved 10/11/2008.

BH2008/00490 - Alterations to driveway access and garden. Conversion of window into doors onto new balcony (part retrospective) - Refused 28/04/2008.

BH2008/00493 - External alterations to driveway access and garden. Conversion of window into doors onto new balcony. Internal alterations, including alterations to staircase and doors (part retrospective) - Refused 28/04/2008.

BH2007/03974 - New fireplaces to 2 bedrooms and replacement front door (part retrospective) (revision of BH2006/01312) - Approved 04/01/2008.

BH2006/01313 - External alterations to building (following removal of two-storey rear extension), including rear terrace, landscaping, rear lobby and garden wall - Approved 23/06/2006.

BH2006/01312 - Internal and external alterations to the building (following removal of two-storey rear extension), including rear terrace, new windows, landscaping, rear glazed lobby and removal of internal walls - Approved 23/06/2006.

BH2005/01148/LB - Internal works (part retrospective) - Approved 17/06/2005.

BH2005/00611/LB - Internal works (Retrospective) - Withdrawn 23/03/2005.

BH2003/01045/LB - Reconfiguration of garden walling. New handrails, balustrading and steps - Approved 20/05/2003.

BH2003/00353/LB - Internal alterations including removal of unused annexe staircase, creation of first floor library and formation of new ground floor interior doorway and passageway. External alterations to staircase annexe with new garden walling and renewal of part of existing wall to form new entrance to garden (Re-Submission of refused application BH2002/03233/LB) - Approved 14/03/2003.

BH2002/03233/LB - Internal alterations including removal of unused annexe staircase, creation of first floor library and formation of new ground floor interior doorway and passageway. External alterations to staircase annexe with new garden walling and removal of part of existing wall to form new entrance to garden - Refused 17/01/2003.

BH2002/03187/LB - Erection of lean-to conservatory at rear of property - Approved 14/01/2003.

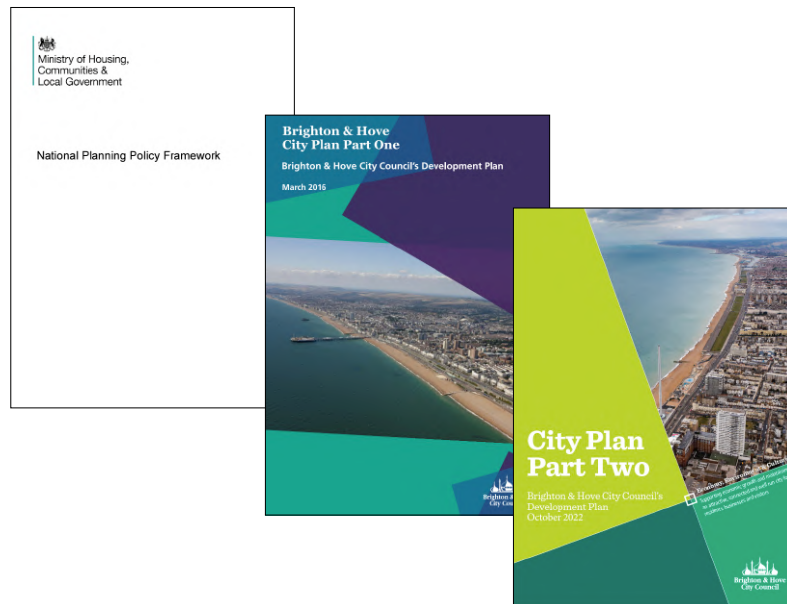
BH2002/03042/TCA/F - Fell one small tree - Approved 26/11/2002.

PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan for the purposes of the Act comprises the Brighton & Hove City Plan Part 1, adopted March 2016 (CPP1) and the City Plan Part 2 (CPP2), adopted October 2022.

Material considerations include the Government policies contained in the National Planning Policy Framework (NPPF), Government Guidance in the National Planning Practice Guidance (NPPG), and Adopted Supplementary Planning Documents and Supplementary Planning Guidance (SPDs and SPGs), in particular: SPD09 Architectural Features; SPD12 Design Guide for Extensions and Alterations; SPGBH11 Listed Building Interiors; and SPGBH19 Fire Precaution Works to Historic Buildings.



NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF was last updated September 2023 and sets out the Government’s planning policies for England. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It notes that this can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The following paragraphs of the NPPF are considered to be relevant in the determination of this application.

Paragraph 8 sets out that achieving sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the three different objectives. These are economic, social and environmental.

Paragraph 10 states, “*So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.*”

Paragraph 11 states that, “*Plans and decisions should apply a presumption in favour of sustainable development... For decision-taking this means:*

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Chapter 4 relates to decision-making. Paragraph 38 states Local Planning Authorities should approach decisions on proposed development in a positive and creative way, and should seek to approve applications for sustainable development where possible.

Paragraph 47 states, *“Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales, unless a longer period has been agreed by the applicant in writing.”*

Chapter 9 relates to promoting sustainable transport. Paragraph 111 states, *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Chapter 11 seeks to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment, and ensuring safe and healthy living conditions.

Chapter 12 relates to achieving well-designed places and sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve.

Paragraph 126 states good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Paragraph 130 sets out that planning policies and decision should ensure that, amongst other things, developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture and layout; and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Chapter 16 relates to conserving and enhancing the historic environment. Paragraph 195 states, *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”*

Paragraph 199 states, *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

Paragraph 202 states, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

BRIGHTON & HOVE CITY PLAN PART 1 (CPP1)

The Council adopted the CCP1 in March 2016. It provides the overall strategic and spatial plan for the future of Brighton & Hove through to 2030.

The following policies are considered relevant to the determination of this application:

- Policy SS1: Presumption in Favour of Sustainable Development;
- Policy CP8: Sustainable Buildings;
- Policy CP9: Sustainable Transport;
- Policy CP12: Urban Design;
- Policy CP15: Heritage; and
- Policy CP18: Healthy City.

BRIGHTON & HOVE CITY PLAN PART 2 (CPP2)

The CCP2 was adopted in October 2022.

The CPP2 builds on the strategic policy framework set out in the CPP1, identifies and allocates additional development sites, and sets out a detailed management policy framework to assist in the determination of planning applications.

The following policies are considered relevant in the determination of this application:

- DM1: Housing Quality, Choice and Mix;
- DM18: High Quality Design and Places;
- DM19: Maximising Development Potential;
- DM20: Protection of Amenity;
- DM21: Extensions and Alterations;
- DM26: Conservation Areas;
- DM27: Listed Buildings;
- DM33: Safe, Sustainable and Active Travel; and
- DM36: Parking and Servicing.

PROPOSED DEVELOPMENT

Curtilage Structure

The application seeks both Planning and Listed Building Consent for the demolition of the existing garage and erection of a new outbuilding that will form guest accommodation and games room, together with a new cycle store, wider access, and modest internal and external alterations.

The new outbuilding will sit in the broad location of the existing garage. It will project further forward, however, it stops approximately 2m back from the frontage of the property to the north on Clifton Road. The front of the building will have a modest pitch design which will all be stucco rendered. Where a garage door exists at present, a glazed screen with timbered louvres will soften the design, whilst maintaining a subordinate garage style frontage. Behind the frontage will be a monopitched roof that will allow photovoltaic tiles on the new structure. These will be set within the timber cladding that will cascade down to the southern elevation. Three roof lights will be set within the roof below the PV panels.

Internally, the layout will allow for a versatile and flexible space that could accommodate overnight stays from guests, or the day-to-day use by the family as a games room.

The door to the new accommodation will lead out to an existing rear access for the main house.

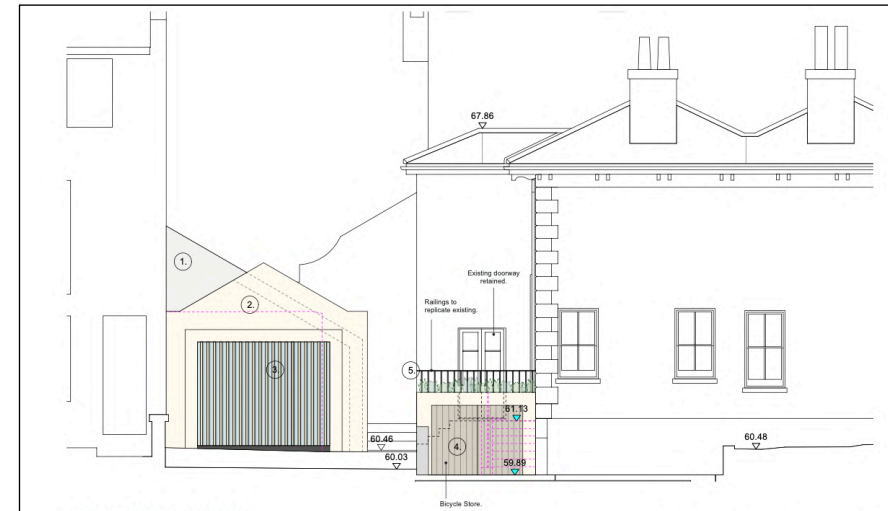


Proposed North East Elevation

External Alterations

The development seeks to move and rebuild an existing pier. This was altered on a previous consent. The pier will allow for better vehicular access. The applicant's also propose inserting cobble setts on the bellmouth radii, removing existing tarmacadam, and extending this through the parking area. The existing sliding gate will be retained and reused.

A new cycle store will replace the existing small staircase to the side of the building. The staircase was a recent amendment as part of applications BH2008/02680 & BH2008/02681 that were approved on 10th November 2008. This will be removed and replaced with a green roof cycle store which will allow for the secure storage of the family's bicycles. On the southeastern elevation there is an existing single storey utility room that attaches to the neighbouring building. The glazed rear elevation of this will be altered to provide a new outward opening door under a new lead roof. The existing window at first floor will also be replaced with a timber window to match that at the front of the building.



Proposed North West Elevation

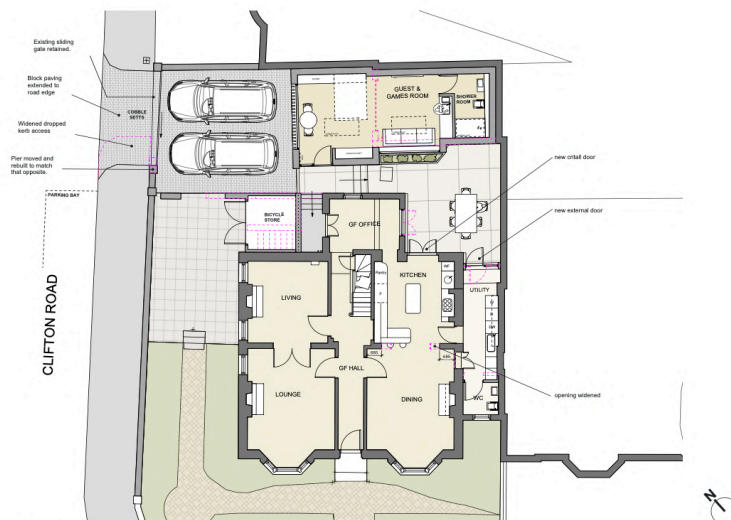


Proposed South West Elevation

Internal Alterations

The ground floor window will be replaced with Crittall doors opening out onto the patio area. The kitchen area seeks consent for a wider opening between the kitchen and dining room. Wall nibs will be retained in order to continue to assess the original historic proportions of these rooms. Whilst the openings will become wider, new cornicing will be added within the dining area. At ground floor, new ceiling roses have been added centrally on the ceiling where a plastic pendant light fitting was. New plaster moulded cornicing has been added to the room restoring what would have been traditional fabric to the building.

At first floor, a new opening is proposed between the bedroom and the en-suite and an existing door blocked off that would not have been original.



Proposed Ground Floor Plan

CONSIDERATIONS

The following main issues are considered to be of relevance to the proposed development:

- Principle of Development;
- Design and Appearance;
- Heritage Impact and Statement; and
- Access.

We will look at each in turn.

Principle of Development

The site lies within the built up area of the city of Brighton and Hove. This is an existing family dwelling and will continue to be used as such. The existing garage is undersized and only used for ancillary storage. Therefore its loss and replacement with a new structure allowing habitable accommodation accords with the aims and policies of the Development Plan. The development will make better use of the existing dwelling and its curtilage allowing for modern standards of living, and enabling more flexible accommodation across the site. These investments secure the viable use of the site into the future.

We therefore consider the principle of the development to be acceptable when considered against development policies of the Development Plan and there are no material considerations that would indicate otherwise.

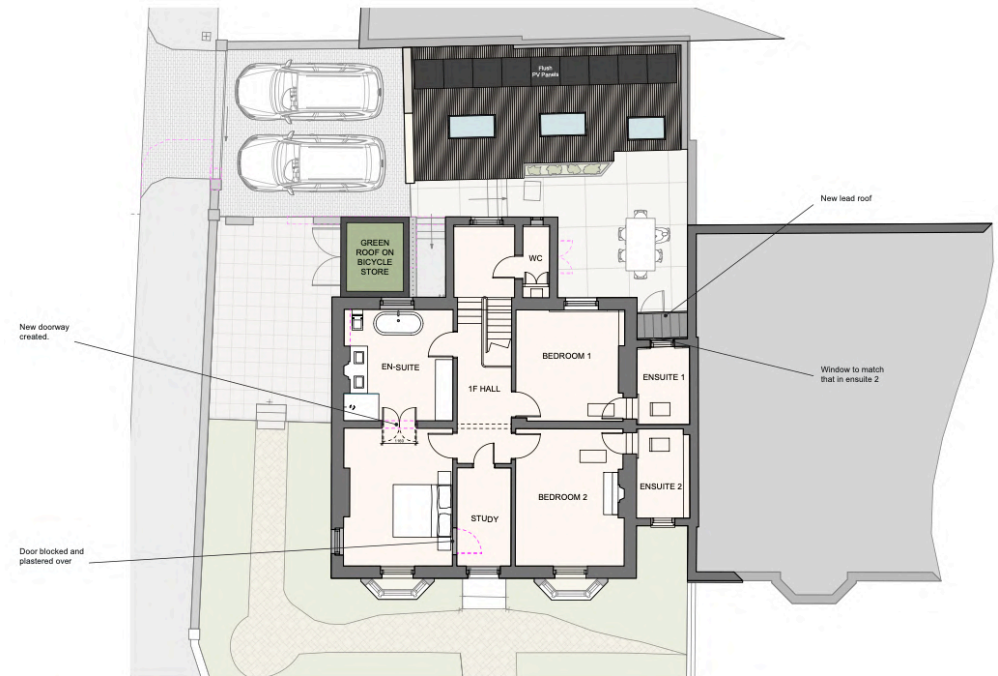
Design and Appearance

The proposed new outbuilding replaces an existing garage that is under utilised. The design of the structure from the front allows for the building to be seen as subordinate, both to the host dwelling and to the neighbouring property on Clifton Road. The facade, whilst an alteration by adding a rendered pitched element, reflects the changing angles in the roofslope. A timber clad monopitch roof will allow for the insertion of photovoltaic roof panels on the outbuilding. This will significantly improve the sustainability credentials of the site by allowing energy capture and storage. It also means that there is no pressure to try and place photovoltaic panels on the Listed Building. This is considered a sensible and suitable approach to helping meet the aims and objectives of sustainable development.

The widened access will also include insertion of cobble setts. This is a traditional material of better quality than the existing incongruous tarmacadam that is placed on footpaths and accessways around the Conservation Area.

The removal of the small staircase, which was a later addition, and its replacement with a cycle store will sit well on the host building utilising existing doors. New railings, similar to those on the boundary, will be made and this reflects the character of the building in its curtilage.

In respect of the internal alterations, they are modest and continue to reflect the character of the existing building.

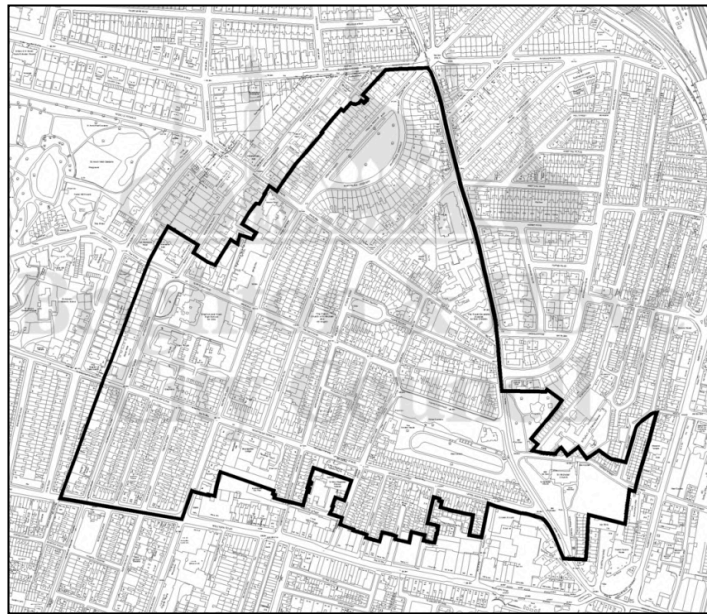


Proposed First Floor Plan

Heritage Impact and Statement

The site lies within the Montpelier and Clifton Hill Conservation Area. The site was designated in 1973, which was then extended in 1977. It amounts to 30.5 hectares. The Character Statement for the Conservation Area was adopted on 20th October 2005.

The Conservation Area Character Statement gives a detailed overview of the evolution of the Conservation Area and the history behind its special character. It sets out that the Montpelier and Clifton Hill Conservation Area is situated on gently undulating downland to the northwest of the original settlement of Brighthelmston, between Western Road to the south and Seven Dials to the north. It contains a high concentration of Listed Buildings, some pleasant open space, and has a varied and highly attractive townscape.



Montpelier and Clifton Hill Conservation Area

Clifton Hill represents the summit of the hill and Montpelier is the surrounding area to the southwest, west and northwest.

The materials listed for the Conservation Area are that of stucco and painted render elevations. There is some light brown Kent gault brick, flint walls and knapped flint within the Conservation Area, but these are not found within the immediate context of the site. Many of the roofs within the Conservation Area have been renewed in concrete tiles, replacing what would have been the original Welsh slate. 7 Clifton Hill retains the original slate roof.

There are a number of cast iron railings set within rendered walls and this is typical throughout the Conservation Area.

Clifton Hill contains some early buildings of circa 1820, but otherwise the buildings in this area are mid 19th Century, with St Michaels Place dating to 1860s and the Royal Alexandra Hospital for Sick Children, which has now been converted and extended to form a residential development, was constructed in circa 1880.

The Conservation Area Character Statement acknowledges that the area is rather constrained by the busy traffic along Dyke Road. Some small shops and a Public House, with a taxi rank, is also noted within the Conservation Area Character Statement. This lies within the immediate proximity of the site. Clifton Hill's pattern of development consists of some terraced houses on either side of the road, with two storey houses to the south, of circa 1850 and two and three storey houses to the north of a similar date which are all set back slightly from the front boundary to create small gardens. It notes that The Crescent Public House and the taxi office provide activity and visual interest.

The building itself is a Grade II Listed Building, which was first Listed on 20th August 1971. The Listing describes the property No.7 and its attached walls and gate piers on Clifton Hill.

It is considered that the proposed amendments allow for notable improvements, both internally and externally, which will continue to respect and contribute to the character of the building and the heritage asset. We believe that the alterations are less than significant and certainly not harmful.

We therefore conclude that the proposals preserve, and in some context enhance the heritage asset in accordance with Policies CP15, DM26 and DM27 of the Development Plan.

Access

The pedestrian access to the front of the property remains and will be unaltered.

The access to the side from Clifton Road will be widened in order to allow for better vehicular access. New cobble setts will be placed on the public highway on the bellmouth radii and these will then continue within the parking area. This is a more traditional material that would be more prevalent within the Conservation Area had the Highway Authority replaced them all with tarmacadam.

In line with Policy SPD14, cycle parking is proposed and a new cycle store will be provided. This gives safe, secure, covered cycle storage allowing for the family and occupiers to make a modal shift away from the car for more local trips.

The proposal is considered to be in line with Development Plan Policies CP9, DM33 and SPD14.

CONCLUSION

DOWSETTMAYHEW Planning Partnership is instructed by our clients, Charlotta Cole Hatvany and Sandor Hatvany, to submit a Planning and Listed Building Consent application for alterations to their existing dwelling. This includes the demolition of the existing garage and its replacement with a new outbuilding within the curtilage. It also incorporates modest internal alterations to the Listed Building and a new cycle store and wider access arrangements.

We consider the principle of the alterations to be acceptable and they are designed to sit well within the context of the Conservation Area and the curtilage of a Listed Building. The new outbuilding will be subordinate, both to the host dwelling and its neighbour, set back from the frontage. The removal of a blockwork garage wall and its replacement with the modern design, behind a stucco rendered facade, will allow for habitable accommodation and better use of this part of the site.

The internal alterations to the Listed Building are modest and detailed within the drawing package. Our clients have sought to improve the internal decoration and fabric of the building by introducing new ceiling roses and new plastered corning. These were removed prior to our client's occupation of the building and are being reinstated.

We consider the proposal preserves and enhances the character of the Conservation Area and preserves the Listed Building. It is in accordance with Development Plan policy and we respectfully request that the Planning Authority approves the application at its earliest convenience.