
Appeal Decision

Site visit made on 31 October 2016

by **S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

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

Decision date: **11TH November 2016**

Appeal Ref: APP/Q1445/W/16/3155381
9 The Beeches, Brighton BN1 5LS

- 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 Santino Sarri against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/03140, dated 12 August 2015, was refused by notice dated 28 January 2016.
 - The development proposed is extension and alterations to existing garage to form a three bedroom dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since this application was determined the Council has adopted the Brighton and Hove City Plan Part One (City Plan). Policies QD1, QD2 and QD3 from the Brighton and Hove Local Plan, referred to in the Council's decision notice have therefore been superseded by those in the City Plan. I have therefore been referred to Policy CP12, which is the most relevant to this case. Although not cited in the Council's reasons for refusal, saved Policy QD14 of the Local Plan has also been brought to my attention. I have therefore determined the appeal having regard to this policy alongside Policies SS1 and CP12 of the City Plan.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

4. No 9 The Beeches occupies a prominent corner plot within this residential area, which is predominantly characterised by pitched roof bungalows dating from the 1960s/70s. The dwellings are set back from the street in spacious plots, with most of them separated from each other by garages and driveways. The combination of open front gardens, wide grass verges and limited boundary treatments creates an area with an open and spacious appearance.
 5. The rear and side garden of No 9 is enclosed by a substantial brick wall. A hedge on its roadside and a semi-mature tree in the garden soften its appearance and provide screening for the existing garage. Nevertheless, it is a prominent feature in the street scene as a consequence of the height, bulk and
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scale of its pitched roof. This contrasts with most other garages, the majority of which have flat roofs and are low profile compared with their respective host properties. The use of white render and slate at No 9 also contrasts this dwelling with others in the surrounding area, which are constructed with a mix of bricks and tiles.

6. The appeal proposal seeks to extend the garage and sub-divide the plot to create a new dwelling. The existing plot of No 9 is significantly larger than some others in the street, due to its corner position. The proposed dwelling would occupy a plot whose overall size would be comparable to some others in the street. However, the layout within the plot would be significantly different. The extension would occupy the full width of the side garden, bringing the enlarged building and its main entrance close to the back of the footway. This would result in a significant loss of openness on the bend in the road and bring the building much closer to the street than any other dwelling in the vicinity.
7. The front garden would be a small triangular shaped area between the building and the back of the footway. This would appear incongruous, when viewed alongside the larger, rectangular front garden of No 9 and the other, more spacious and open front gardens that characterise the area. The extension would project beyond the building line of the properties to the west. As a consequence, the building would appear intrusive in the street scene and the additional height, width and bulk of the roof would dominate this highly visible site.
8. The house and garage of No 9 are in close proximity to one another. The use of identical materials ensures that they have a combined visual identity, with the garage appearing to be subservient to the main dwelling. The enlargement of the garage, together with the replacement of its door with windows, would fundamentally change the character of the building and its relationship with No 9. The different sizes and heights of the two dwellings would result in the host property visually dominating the smaller, new one. The development as a whole would appear to be an over-sized addition to the original bungalow, rather than two separate dwellings, each set within its own well-proportioned plot. The lack of separation between the two buildings would compound this effect, to the detriment of the host property and the surrounding area.
9. I therefore conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area, contrary to Policy CP12 of the City Plan and QD14 of the Local Plan, which require new development to be appropriately sited in relation to adjoining properties, and take account of the spaces around buildings and the character of the area. It would also be contrary to the National Planning Policy Framework's objective of promoting good design and ensuring that new development uses streetscapes and buildings to create attractive and comfortable places to live.

Conclusion

10. The Government is seeking to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption in favour of sustainable development. The proposal would contribute, albeit in a small way, to the delivery of the city's housing needs. The dwelling would provide an acceptable standard of accommodation and would not be harmful to the amenity of neighbours. These factors weigh in the scheme's favour.

11. However, I have found that the proposal would be harmful to the environment and consider the benefits that would accrue from the provision of a single dwelling would not outweigh this harm. The proposal would therefore not be a sustainable development and would fail to comply with the advice of the Framework and Policy SS1 of the City Plan.
12. For this reason I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR