
Appeal Decision

Site visit made on 31 October 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 28 November 2016

Appeal Ref: APP/Q1445/W/16/3152411

2 Meadow Close, Rottingdean, Brighton BN2 7FB

- 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 David Martin of Martin Investment Management against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/03606, dated 21 October 2015, was refused by notice dated 11 February 2016.
 - The development proposed is the erection of a one and a half storey 1/2 bedroom chalet bungalow with associated off-street parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Policies QD1, QD2 and QD3 from the Brighton & Hove Local Plan referred to by the Council in its reasons for refusal have been superseded by policies CP8, CP12 and CP14 (CP12 replacing policies QD1 and QD2 and CP8, CP12 and CP14 replacing policy QD3) of the Brighton & Hove City Plan Part One which has been adopted since the appeal was submitted. Both main parties were given the opportunity to comment on the relevance of the new Plan policies.

Main Issue

3. The main issue in the appeal is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal site has been the subject of a previously dismissed appeal (appeal reference APP/Q1445/W/15/3009748) in which the Inspector described the cul de sac at Meadow Close to be laid out to provide an "inner" and "outer" square of properties. The Inspector also commented that "other than for a row of terraced cottages located toward its entrance, the cul de sac is characterised by detached and semi-detached bungalows, that over a period of time, have benefited from various extensions and are now quite varied in appearance. The appeal site constitutes an area of land located within the "inner" square of housing and was formerly part of the back garden belonging to 2 Meadow Close." Based on my observations I concur with the Inspector's findings.
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5. The proposed plot division remains unchanged from that of the previous appeal. Whilst the overall size and footprint of the proposed dwelling would be reduced, the proposed frontage would be increased in width by 2.6m and would be aligned with the street frontage with the dwelling positioned centrally in the plot. The dwelling would be reduced in depth by between 2 and 3.2m creating a larger garden area to the rear. For these reasons the proposal is a different scheme and, therefore, should be assessed on its own merits.
6. I observed that the prevailing character of the development in Meadow Close particularly, within the inner square, is one of uniformity in relation to the layout and size of the plots. I concur with the view of the previous Inspector that this is an important characteristic. Along with the consistency in terms of the type of dwellings, the existing dwellings have generous lengths of gardens which give the area a verdant and spacious character.
7. The inner square comprises detached and semi-detached properties with long rear gardens. The proposed development would interrupt the uniformity of the layout within the inner square by introducing a dwelling within the existing garden and sub-dividing the site to accommodate this. The proposed dwelling, along with that of No.2 Meadow Close, would result in uncharacteristically small plots and excessive plot coverage to those of other properties in this inner square.
8. Whilst the detached chalet bungalow's design, scale and detailing may be considered acceptable to the Council, the dwelling would occupy most of the available space within the site and, due to its increased width, would be constructed close to the side boundaries of the site. Similarly to the previous appealed proposal, the proposed parking space would be tightly positioned between No.2's fencing and the flank wall of the new dwelling. Although the outdoor space to the rear has been increased, the proposal would still occupy most of the available space within the site. Notwithstanding the proposed centralised siting within the plot and open space to front and rear, the proposed development, as a result of its excessive plot coverage, would be constrained by the size of the plot and would appear cramped for this reason.
9. In light of the above, I have formed the view that the amount of built form and excessive site coverage, and the subdivision of plot resulting in uncharacteristically small plots for the appeal site and No.2 Meadow Close, would be out of keeping with the prevailing pattern of development in the locality. Whilst the perceived depth of garden would not be apparent from the street, a dwelling in this location would erode the verdant and spacious feel to this part of the inner square. This would be apparent when viewed from the adjacent public highway. As a result the proposal would be harmful to the character and appearance of the area.
10. My attention has been drawn to a scheme at 1 Meadow Close. As noted by the previous Inspector, the recent development at No.1 does not form part of the "inner" square of housing. The recently constructed replacement semi-detached dwellings front onto the main entrance to Meadow Close. I consider the amount of space provided around these dwellings to be more generous than that proposed here. I am not persuaded by the appellant's argument that this development establishes a precedent for the subdivision of plots in Meadow Close.

11. For these reasons I conclude that the proposal would be harmful to the character and appearance of the area. The proposed development would be contrary to Policies CP8, CP12 and CP14 which seek all new development to establish a strong sense of place by respecting the character and urban grain, amongst other matters. The proposed development would also be contrary to paragraphs 56, 60 and 64 of the National Planning Policy Framework (the Framework) that seek to promote or reinforce local distinctiveness and attach great importance to the design of the built environment.

Other Matters

12. The Council indicates that it is able to demonstrate a 5 year Housing Land Supply. I acknowledge the proposal would provide an additional home within the urban area of sustainable construction with private amenity space. The proposal would contribute a 1 to 2 bedroom dwelling to the City's overall supply and optimise the development potential at this site. It could also add to the choice of housing locally; the development and its small garden would meet a demand for housing from the elderly population in the area. However, these benefits would not outweigh the harm that I have identified above in terms of the character and appearance of the area.
13. I also note the appellant's submission that the design has sought to comply with amenity space provisions of saved Policy HO5 of the Brighton & Hove Local Plan. This does not obviate the need to ensure that, overall, the development respects the character and appearance of the area.
14. I have taken into account all other matters that have been raised. This includes the impact of the proposal upon neighbouring residents' living conditions which I consider would not be unduly harmed, the impact upon parking in the area taking into account the proposal would incorporate parking provision and the limited impact one additional dwelling would have upon the existing drainage system. Having considered all of these other matters none are sufficient, either individually or collectively, to outweigh the harm that I have identified in terms of the main issue in this appeal.

Conclusions

15. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR