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# Appeal Decision

Site visit made on 7 August 2017

**by Nicola Davies BA DipTP MRTPI**

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

**Decision date: 18 August 2017**

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**Appeal Ref: APP/Q1445/W/17/3174285**

**Land adj to No 2 Elvin Crescent, Rottingdean BN2 7FF**

- 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 Romanowski against the decision of Brighton & Hove City Council.
  - The application Ref BH2016/06243, dated 24 November 2016, was refused by notice dated 29 March 2017.
  - The development proposed is erection of a 1 bedroom chalet bungalow with off street parking.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appellant has put forward an additional plan, reference LW/2050-A3/P03 Revision C. The plan replaces the proposed rear roof projection with three rooflights. This plan has been produced to inform the appeal process. This alteration does not significantly change the proposal and, as such, the plan would not, in my view, prejudice the interests of third parties. For this reason I have had regard to this plan.

## Main Issue

3. The main issue raised in respect of the appeal is the effect of the proposed development on the character and appearance of the area.

## Reasons

4. The area is predominantly residential in character comprising a mix of detached and semi-detached bungalows. In the main, the dwellings are set within rectangular plots with reasonably sized front and rear gardens. I acknowledge there are a few properties with a splayed siting at the highway bend in Elvin Crescent where the plots have splayed side boundaries reflecting their positioning at the bend. The appeal site has a less conventional arrangement to that of surrounding properties in that the rear of the site has an irregular shape incorporating a narrow projection.
5. I observed that many of the properties in the area have been extended, some to the side, and roofs have been altered to incorporate accommodation within them, all varying in style and design. The frontage width of the new plot and

the space between the proposed house and adjoining properties, would be similar to that of other properties within the vicinity of the appeal site. I consider the size and appearance of the proposed dwelling, including its front building line and side projection, would be acceptable when viewed within the streetscene. The size and design of the proposed dwelling itself would not appear awkward in the context of the extended and altered dwellings in this area, with or without the rear roof projection.

6. I acknowledge the appellant has made an assessment of the sizes of some of the smaller plots in the vicinity of the appeal site. I accept that in overall size, the plot would be of similar size to other plots in the locality. Nonetheless, the shape of the plot would be significantly different to those in the area, including those properties situated within those splayed plots at the bend in Elvin Crescent. In addition, the proposed dwelling would be constructed in close proximity to the rear diagonal boundary of the appeal site, and the rear garden layout would be very different to those of other properties in this area.
7. The proposed development with its unconventional irregular shape to the rear would be out of keeping with the prevailing pattern of development in the area and the general uniformity of plot and rear garden shapes. Furthermore, the dwelling would be constructed close to the diagonal rear boundary and would appear cramped for this reason. Although the contrived nature of the proposed development to the rear of the appeal site would not be readily perceivable in public views if the dwelling were erected, the harm to the character of the area and the constrained appearance of the development would be readily apparent to adjoining occupiers.
8. For the above reasons the proposed development would be harmful to the character and appearance of the area, and would be contrary to Policy CP12 of the Brighton and Hove City Plan Part One which seeks development to have a strong sense of place and to respect the urban grain, amongst other matters. The proposal would also conflict with paragraphs 17 and 58 of the National Planning Policy Framework that aim to ensure development takes into account local character.

## **Conclusions**

9. A number of residents close by have raised other concerns in relation to the proposal but in view of my conclusion on the main issues, there is no need for me to address these in the current decision.
10. For the reasons given above, I conclude that the appeal should be dismissed.

*Nicola Davies*

INSPECTOR