The Planning Inspectorate

Appeal Decision

Site visit made on 10 January 2019

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 February 2019

Appeal Ref: APP/Q1445/W/18/3207925
Henge Way, Land next to 2 Brackenbury Close, Portslade, Brighton BN41 2ES

- 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 Ms Yasemin Genc against the decision of Brighton & Hove City Council.
- The application, Ref. BH2018/01407, dated 1 May 2018, was refused by notice dated 22 June 2018.
- The development proposed is the construction of a new house with crossover and parking.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of its surroundings.

Reasons

3. The Council acknowledges that the principle of an addition of a dwelling within a residential area of the city would make a contribution to the supply of housing in the city. In addition, I note from the officer's report that, subject to appropriate conditions, there is no objection on such matters as adequacy of floorspace, access and parking, the effect on ecology, and the living conditions for future occupiers of the dwelling and occupiers of neighbouring dwellings.

4. This essentially leaves the thrust of the Council's objection relating to siting on the plot, the design and external materials, with the proposed combination of these considered to have a harmful effect on the street scene.

5. As regards design, I consider that for the most part the appeal scheme successfully deals with achieving the difficult balance of adapting to the constraints of the site's size, shape and 'isolated' position at the end of the cul-de-sac.

6. In particular, as regards the Council's criticism of the dormers, I am of the view that their distances from the ridge, flanks and eaves of the roof plane would be sufficient for them not to be harmfully over-sized in this particular context. This is because the dwelling would be read in the street scene principally against the

substantial mass of the adjoining building, including No. 2 Brackenbury Close, which appears to be one half of a pair of semi-detached houses.

7. Accordingly, in order not to appear harmfully out of keeping, the 'front' of the appeal building has to have a width and overall scale that despite the constraints of the plot would comprise a sufficiently substantial built form and presence relative to its neighbours. And whilst the appeal proposal would in fact do this, I also consider that to be in keeping all or most of those elements of the building that face the road should have external materials similar to those used for nearby houses, albeit possibly deployed in a way that would help to mitigate the Council's concern on the visual impact of the dormers. The challenge is whether this can be successfully reconciled with the proposed appearance of the more rearward part of the building. I accept the latter responds appropriately and innovatively to its context and the site's constraints. And unlike the front it would not have the problem of being read with the more traditional appearance of the existing nearby development.

8. A further reservation, and one that in the final analysis I conclude must result in the appeal being dismissed, relates to the detailed design of the main elevation to the built up part of Henge Way. The appeal building would be prominent in long and short views in the approach along this road and indeed draw the eye because it would be correctly perceived as not forming part of the original development. And as the Council's appeal statement says, this elevation lacks primacy with a large area of blank wall and two ground floor windows.

9. I acknowledge that this is not the functional front of the house and therefore does not have a door, but whether or not this aspect of the design remains in an amended proposal I consider that this elevation needs to have a design quality that would justify this development as a 'one off' addition to the more conventional and established estate layout and design.

10. On the main issue, I therefore conclude that insofar as the appearance of the proposed building to Henge Way is concerned, including the choice of materials, the appeal scheme would at present conflict with Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2018 (I share the appellant's doubts as to the direct relevance in this case of Policy CP12 of the Brighton & Hove City Plan Part One 2016). As the proposal requires some re-design, the conditions suggested by the Council would not address my objections to the proposal.

11. I have carefully considered the many objections to the scheme from local residents, including on matters not covered above. However, I consider that this small triangular site between a footpath and a section of the cul-de-sac head makes only a limited contribution to the amenity of the area. And whilst it may have originally been earmarked for open space, there is no evidence from the Council that this will ever come about.

12. For the reasons explained above, the appeal is dismissed.

Martin Andrews

INSPECTOR