
Appeal Decision

Site visit made on 16 June 2021

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2021

Appeal Ref: APP/Q1445/W/21/3267386
8 Mayfield Close, Brighton BN1 8HP

- 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 Sue Wilkinson against the decision of Brighton & Hove City Council.
 - The application Ref BH2020/03173, dated 4 November 2020, was refused by notice dated 17 December 2020.
 - The development proposed is erection of a detached one bedroom bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Mayfield Close is a small cul-de-sac containing four pairs of semi-detached bungalows. Some of these properties have been extended, and there are various garages and outbuildings in evidence. Nevertheless, there are generous gaps between the dwellings which create a spacious character.
4. The proposed bungalow would occupy the side garden of 8 Mayfield Close, which lies at the easternmost end of the cul-de-sac. It would be set slightly forward of the host property and would fill the width of the plot, with narrow gaps to No 8 and the boundary with 1 Greenfield Close. Detached bungalows are not characteristic of Mayfield Close, but this proposal would have the added issue that it would appear shoehorned on the site. The scheme would be cramped and at odds with the established pattern of development.
5. Amongst other things, Policy CP12 of the Brighton & Hove City Plan Part One (2016) (CP1) requires new development to establish a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods. CP1 Policy CP14 indicates that residential development should be of a density that is appropriate to the identified positive character of the neighbourhood. Higher densities will only be permitted where the proposal would demonstrate a high standard of design, respect the character of the neighbourhood and contribute positively to its sense of place.

6. The proposal would not meet these policy requirements. It would be discordant with the layout of the cul-de-sac and would thus harm the character and appearance of the area. There would be conflict with CP1 Policies CP12 and CP14 in this regard. These policies are consistent with paragraph 127 of the National Planning Policy Framework (the Framework) in seeking to ensure that developments optimise the potential of the site whilst also being sympathetic to local character, including the surrounding built environment.

Other Matters

7. It has been argued that the site is underutilised and that it does not contribute positively to the appearance of the street scene. However, the land does not detract significantly from the amenities of the area. Even if it did, the Council has powers under Section 215 of the Act to remedy this. Accordingly, I have attached this part of the appellant's case very limited weight.

Planning Balance and Conclusion

8. The site lies within the built-up area in a location is accessible to services and public transport. The scheme would provide a good standard of accommodation which exceeds the Nationally Described Space Standards. Externally, the private gardens would be adequate to serve the existing and new dwellings, and there would be provision for cycle and refuse/recycling storage. The scheme would also incorporate various sustainability features. Furthermore, the proposed parking arrangements would satisfy Highway Authority requirements and there would be no material harm to the living conditions of neighbours. These factors all weigh in favour of the scheme, but they do not justify the harm I have identified.
9. The proposal would constitute a windfall site and would contribute to the supply of housing in a situation where the Council is unable to demonstrate a five year supply of deliverable housing sites. However, the harm to the character and appearance of the area would significantly and demonstrably outweigh the very modest social and economic benefits arising from a single dwelling. Hence the proposal would not constitute sustainable development for which the Framework provides a presumption in favour.
10. For the reasons given above, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR