



Appeal Decision

Site visit made on 2 February 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 1st March 2024

Appeal Ref: APP/Q1445/D/23/3333175

8 Bavant Road, Brighton, East Sussex, BN1 6RD.

- 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 Owers against the decision of Brighton and Hove City Council.
 - The application Ref BH2023/02375, dated 24 August 2023, was refused by notice dated 9 November 2023.
 - The development proposed is for a shed to the front of the house, to house bikes and bins.
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Decision

1. The appeal is allowed and planning permission is granted for a shed to the front of the house, to house bikes and bins at 8 Bavant Road, Brighton, East Sussex, BN1 6RD in accordance with the terms of the application, Ref BH2023/02375, dated 24 August 20, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: Existing Front Elevation (1:50), Existing Roof Plan (1:50), Revised 2 design-Plan (1:20), Proposed Roof Plan (1:50), Proposed Section (1:50), Proposed Front Elevation (1:50), Elevations A and B (1:20), Elevations C and D (1:20), Block Plan (1:500) and Location Plan (1:1250).

Main Issue

2. I consider the main issue is the effect of the proposed development on the character and appearance of the Preston Park Conservation Area.

Reasons

3. The appeal property, 8 Bavant Road, is one half of an inter-war years, two-storey, semi-detached house. The semi-detached pair, although not listed, are located in the Preston Park Conservation Area. The conservation area is characterised by late Victorian villas and terraces with some later 1920's/1930's developments, such as Bavant Road.
4. The appellant proposes a simple modest shed in the front garden to house refuse/recycling bins and secure covered bike storage. It would be of a neat

contemporary design, timber framed and clad structure about 1.8 metres or so high, with a living green flat roof. Due to its design, it would not visually compete with the more ornate detailing of the host property, appearing as a contrasting later structure.

5. It is proposed to site it in front of the dwelling but located back behind the existing front boundary wall at the rear of the pavement. The existing planting directly behind the boundary wall would be retained.
6. The retained planting and boundary wall would provide some, albeit limited screening. Part of the shed would be visible above the boundary wall, and thereby open to some views from the street and wider conservation area.
7. However, given the modest size of the structure, its green roof design and, albeit limited, some screening from the street I consider, on balance that this contemporary building would have a neutral impact on the character and appearance of the conservation area. Further, in my judgement it would cause less harm to the character and appearance of the conservation area than the open storage of refuse and recycling paraphernalia and bikes, including two wheeled powered bikes, which might otherwise park in the open under temporary covers.
8. Further, due to the established garden planting and the limited height of the proposed shed I do not consider that it would necessarily denude, to any significant extent the visual uniformity of the pair of semi-detached houses.
9. For the reasons set out I conclude, on balance in this case, that in respect of the main issue the proposed garden shed would serve to preserve the Preston Park Conservation Area. It would therefore accord with the aims of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies DM21 and DM26 of the Brighton and Hove City Plan Part 2 as they relate to the quality of development and the preservation or enhancement of the character or appearance of conservation areas.

Conditions

10. The conditions follow from those suggested by the Council. To ensure a high quality development and in the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR