



Appeal Decision

Site visit made on 22 September 2025

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/Q1445/W/25/3366654

72 Goldstone Villas, Hove, Brighton & Hove BN3 3RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Roy Pook of Alpha Projects (Sussex) Ltd against the decision of Brighton & Hove City Council.
 - The application Ref is BH2025/00168.
 - The development proposed is the erection of a three-storey, two-bedroom dwelling house (C3) fronting Ethel Street.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application form submitted in support of the planning application indicates the work has not yet started. However, I was able to access a building that has been erected at the site at the time of my visit. However, it is not clear whether that development accords fully with the proposal that is before me. I have therefore considered the appeal as a standalone development and on the basis of the plans that are before me.

Main Issue

3. The main issue raised by this appeal is the effect of the proposed development on the living conditions of the future occupiers of the dwelling house.

Reasons

4. The outdoor living space associated with the dwelling would be a small split level courtyard at ground floor level along with a small balcony at second floor. The ground floor space would be of a particularly small size even for this city centre location and being split level would not create an area easily useable for outdoor enjoyment by the occupiers. Furthermore, the space would be overlooked by the windows on the rear façade of the Goldstone Villas building and, as such, this would not be a particularly private place. The second floor balcony would be of a very small size offering limited useful outdoor space. The occupiers of the proposed dwelling should reasonably expect to enjoy an acceptable outdoor living environment as part of their residential lives and the proposal would not achieve this.

5. The local planning authority contends that there are rooms within the development that could be used as potential bedrooms even though such rooms are annotated on the proposed plans as study and dressing areas. However, the proposal as described on the planning application form and reflected within the banner heading above seeks planning permission for a three-storey, two-bedroom dwelling house. That is the proposal that is before me. As such, the proposal should be assessed in accordance with the description of the proposed development as set out in the banner heading having regard of the proposed layout as annotated on the proposed plans.
6. The study and dressing room areas would be served by obscure glazed windows. However, whilst these rooms would not have an outlook to the outside world, natural light to these internal spaces would be provided despite being north facing and enclosed by existing and proposed developments. I do not consider that limiting outlook from these rooms would substantially undermine the occupiers' enjoyment of the living environment within the dwelling.
7. For the above reasons, I conclude that the proposed development would be harmful to the living conditions of the future occupiers of the dwelling house but only in relation of the outdoor living space. The proposal would, therefore conflict with Policies DM1 and DM20 of the City Plan Part Two (Brighton & Hove City Council's Development Plan 2022). These policies seek, amongst other matters, the delivery of high quality homes with all new residential developments providing useable private outdoor amenity space.

Other Matters

8. The Council cannot demonstrate a 5-year housing land supply of deliverable housing sites. As such, the provisions of paragraph 11d) of the National Planning Policy Framework (Framework) should be applied.
9. The proposal would boost the supply of housing and would be a sustainable form of development within the centre of Hove. The proposal could create a modest sized family dwelling that could improve the visual appearance of the site and provide green roof surface water drainage. However, the benefits associated with a single dwelling would be relatively small. Also any economic benefits during construction would be temporary and limited.
10. Even if the current housing land supply situation is acute, the adverse impact of the proposed development upon the living conditions of future occupiers attracts substantial weight and therefore significantly and demonstrably outweighs the benefits when assessed against the policies of the Framework when taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

11. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR