Appeal Decision

Site visit made on 16 September 2016

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

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

Decision date: 26 September 2016

Appeal Ref: APP/Q1445/D/16/3153835
32 Hove Park Way, Hove, East Sussex BN3 6PW

- 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 Nadine Kell against the decision of Brighton & Hove City Council.
- The application, Ref. BH2016/00636, dated 15 February 2016, was refused by notice dated 18 May 2016.
- The development proposed is a loft conversion and external alterations.

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 street scene of Hove Park Way.

Reasons

3. The Council's main concern with the proposal is that the alterations and extensions to the roof would break the 'rhythm of the rooflines and pattern of development' with a resultant negative impact on the continuity of the streetscape fronting Hove Park Way.

4. However, in my view the use of the term 'rhythm' in this context suggests elements of repetition in a recognisable frequency or an ordered arrangement that are in themselves pleasing to the eye. I saw on my visit that the houses in this section of Hove Park Way are too individualistic in their design and external materials to warrant this description and I am minded to agree with the appellant on this point.

5. That said, I consider that the Council is correct to point to a predominance of hipped roofs and a corresponding absence of side gables. This is especially noticeable on the eastern side of the road south of the appeal property where there are mostly fully hipped roofs. The effect of this is to enhance the spacious character of a road in which the substantial dwellings have fairly modest gaps between them.

6. The property already draws the eye because of its more contemporary appearance, and whilst I recognise that the proposed side gables would be set back behind the front bays, the result of the appeal scheme would be a

noticeably bulkier roof form that would not sit comfortably in its context. Furthermore, the proposed front dormer, although well proportioned and appropriately sited, would not be generally characteristic of the street scene and tend to accentuate the out of keeping roof scale and design.

7. In forming this view I have taken account of Government policy in paragraph 60 of the National Planning Policy Framework 2012 ('the Framework') to the effect that decisions should not comprise unsubstantiated requirements of conformity. I have also noted the reference to examples of hipped to gable relationships in the letter supporting the application.

8. On the first point I have come to an 'on balance' judgement for the reasons explained. On the second point I note that two of the examples are in Woodruff Avenue, which is a different street scene, whilst the example in Hove Park Way tends to reinforce my assessment of the discordant effect of this relationship.

9. I have taken account of all the other matters raised for the appellant but overall conclude that the appeal scheme would have an unacceptable effect on the character and appearance of the Hove Park Way street scene. This would be in conflict with saved Policy QD 14 of the Brighton and Hove Local Plan 2005 and Section 7: 'Requiring Good Design' of the Framework.

10. I have noted the objection from No. 32 and agree that there would be an adverse impact on the living conditions for the occupiers of this property as regards outlook. However, because the proposal fails on the main issue there is no need for me to assess whether on its own this would be sufficient to warrant refusal, albeit I have noted the Council's view that it would not.

11. For the reasons explained above the appeal is dismissed.

Martin Andrews

INSPECTOR