

Appeal Decision

Site visit made on 2 May 2017

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 9 May 2017

Appeal Ref: APP/Q1445/W/17/3167686

43 Hallyburton Road, Hove BN3 7GU

- 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 & Mrs Ben Yates against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/05075, dated 22 August 2016, was refused by notice dated 30 September 2016.
 - The development proposed is new 3 bedroom house on land next to 43 Hallyburton Road with front and rear amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed dwelling on the character and appearance of the existing building and surrounding area.

Reasons

3. Hallyburton Road predominantly comprises a mix of semi-detached and terraced properties of two storeys, the terraces being mainly of 3-4 properties. This mix of development provides a varied character to the area, with most houses, apart from the end of terrace property neighbouring the appeal site, having gaps to their boundaries.
 4. The site forms a substantial gap between the terrace of four properties and the neighbouring terrace of three houses, wider than the gaps between most buildings in the locality, which would be substantially filled by the proposed dwelling. It would have a gabled roof above that does not reflect the hipped roof of the existing property and would unbalance this property compared to the opposite end of the terrace as well as contributing toward the closing of the gap between the terraces. The resulting gap would be narrower than others in the locality, such that it would adversely affect the rhythm of development within the street scene and would appear cramped on the site.
 5. The proposed dwelling would be constructed in materials and have windows that would reflect those of the existing terrace, but that would not outweigh the harm resulting from the cramped appearance of the proposed development.
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6. On that basis, I conclude that the proposed terraced dwelling would harm the character and appearance of the existing building and surrounding area. As such, it would be contrary to Policies CP12 and CP14 of the Brighton and Hove City Plan Part One (CP) that that seeks to raise the standard of architecture and design in the city and establish a strong sense of place, respecting the character of the surroundings and be appropriate to the positive character of the neighbourhood.
7. Reference is made to there being a lack of supply of housing in the borough and the proposed development would provide a single dwelling toward that supply. The appeal site is close to services and facilities, and the proposal would make a contribution to the supply and mix of housing in the area. It would be an energy efficient property that would provide a good standard of living to future occupiers. However, the harm that I have identified to the character and appearance of the area would significantly and demonstrably outweigh the benefit of the development to the local housing supply.
8. For the above reasons and taking into account all other matters raised, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR