

## Appeal Decision

Site visit made on 8 June 2017

by **Cullum J A Parker BA(Hons) MA MRTPI IHBC**

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

Decision date: 12th June 2017

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### **Appeal Ref: APP/Q1445/W/17/3169743 14 Foxhunters Road, Portslade, BN41 2RY**

- 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 Simon Hodges against the decision of Brighton & Hove City Council.
  - The application Ref BH2016/05349, dated 19 September 2016, was refused by notice dated 16 February 2017.
  - The development proposed is described as *'the proposals are for the conversion of existing 5/6 bed chalet bungalow to 2 self-contained family 2/3 bed chalet bungalows, with single storey rear extensions, and associated parking and ancillary areas'*.
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### **Decision**

1. The appeal is allowed and planning permission is granted for the conversion of existing 5/6 bed chalet bungalow to 2 self-contained family 2/3 bed chalet bungalows, with single storey rear extensions, and associated parking and ancillary areas at 14 Foxhunters Road, Portslade, BN41 2RY in accordance with the terms of the application, Ref BH2016/05349, dated 19 September 2016, subject to the conditions set out in Appendix A.

### **Main Issue**

2. The main issue is the effect of the proposed development on the character and appearance of the street scene.

### **Reasons**

3. The appeal building is a semi-detached bungalow with first floor dormer window style extension to the rear. To the front there is a projecting gable ended bay with porch. To the side of this appears to be a single storey side extension with hipped roof, mainly comprising the room labelled as 'lounge' on drawing FHP.001. More widely, the street is characterised by a mixture of houses and bungalows, a number of which have been subject to various extensions and alterations, such as rooflights and dormers.
  4. The appeal scheme seeks the conversion of the existing semi-detached bungalow into two separate three bedroom dwellings. This would include two single storey flat roofed rear extensions, the removal of one large box dormer and its replacement with four smaller dormers, rooflights to the front roofslope and the alteration of the roof from hipped to barn hip style. Such features are not unusual within the context of the street scene and therefore there is scope for them to be acceptable.
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5. The Council is concerned that the existing extension to the side is not subservient to the main building. They also point to the fact that in their view this extension has a detrimental impact on the street scene and host building owing to this non-subservient form. However, this extension already exists, with any impact on symmetry with the adjoining property already present. The principle of the acceptability of the existing extension is not at issue here. In terms of the roof alterations from hipped to barn hip style, this is a relatively minor change in the roof form and given its relatively small degree of change would not add considerable bulk to the building as the Council alleges.
6. In terms of the relocation of the front door to the gable-ended bay, whilst this would be in a different location from the present entrance, the proposal would still retain two bays to the front of the building and the gable, which is visually one of the key features in the front elevation. As such, whilst the proposal would result in changes to the front and other elevations, these would not be of a significant level, nor would they have a harmful impact on the character and appearance of the street scene.
7. I therefore conclude that the proposed development would not have a materially harmful impact on the character or appearance of the street scene or the host building. It would therefore accord with Policy QD14 of the *Brighton and Hove Local Plan (retained policies March 2016)* and Policy CP12 of the *Brighton and Hove City Plan Part One* (both supported by *SPD12: Design Guide for extensions and alterations*), which, amongst other aims seek to ensure that developments are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

### **Conditions**

8. Although separately requested by the Inspectorate, no suggested conditions have been provided by the Council. I have nonetheless considered imposing conditions in the context of Paragraph 204 of the Framework and the Planning Practice Guidance in terms of the use of planning conditions.
9. A condition requiring the proposal to be carried out in accordance with the submitted drawings is necessary to provide certainty. Furthermore a condition requiring the use of matching materials is reasonable to protect the character and appearance of the street scene.
10. In terms of the condition suggested by the local highway authority for details of cycle storage, given that there would be areas of garden to both the front and rear of the proposed properties that could be used for such purposes, I do not consider that such a condition is necessary in this instance.

### **Conclusion**

11. For the reasons given above, I conclude that the appeal should be allowed.

*Cullum J A Parker*

INSPECTOR

## **Appendix A – List of conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: FHP.001, FHP.002 Rev B and FHP.003.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

