



Appeal Decision

Site visit made on 18 June 2009

by **Y Mwanza BA(Hons) MRTPI**

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

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Decision date:
18 August 2009

Appeal Ref: APP/Q1445/A/09/2099045

105 Tumulus Road, Saltdean, Brighton, BN2 8HG

- 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 Christopher Blay against the decision of Brighton and Hove City Council.
- The application Ref BH2008/03450, dated 28 October 2008, was refused by notice dated 15 January 2009.
- The development proposed is the reinstatement of bungalow to original 2 bedroom footprint as built, by separating main bungalow from adjoining granny annexe (added c.1976) to create two separate dwellings. Demolition of detached garage to allow side access and extension of driveway to accommodate parking for both properties.

Decision

1. I dismiss the appeal.

Main issues

2. I consider the main issues to be firstly the effect of the development on the supply of small family dwellings, and secondly whether the development would provide satisfactory living conditions for future occupiers.

Reasons

Supply of small family dwellings

3. Policy HO9 of the Brighton & Hove Local Plan (BHLP) relates to residential conversions and the retention of smaller dwellings. The Policy in part (b) states that conversion schemes should provide at least one unit suitable for family accommodation with a minimum of two bedrooms.
4. The proposal would retain a 2 bedroom unit and therefore complies with Policy HO9(b) of the BHLP. I conclude on the first main issue that the proposal would not have a detrimental impact upon the supply of small family dwellings.

Living conditions

5. Policy HO9(a) of the BHLP states that conversions will be permitted where the original floor area is greater than 115sqm. From my analysis the original floor area without the attached annex would be about 69sqm and results in an area well below the threshold.
6. I am of the opinion that the building is not of sufficient size to be divided. The internal layout of the proposed 1 bed unit would be cramped and would fail to

provide satisfactory access to all rooms, with access to the lounge only possible via the kitchen. In my view the development would result in substandard accommodation for future occupiers.

7. I conclude on the second main issue that the conversion would result in an unsatisfactory living environment for future occupiers and the proposal would conflict with Policy HO9(a) of the BHLF.

Conclusion

8. Despite my conclusion on the first main issue, this is not sufficient to outweigh the harm I identified on the second main issue. I conclude the proposal would conflict with the provisions of the BHLF. Therefore, for the reasons given above and having regard to all other matters raised, I conclude the appeal should be dismissed.

Y Mwanza

INSPECTOR