



Appeal Decision

Site visit made on 28 February 2011

by David Hogger BA MSc MRTPI MCIHT

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

Decision date: 9 March 2011

Appeal Ref: APP/Q1445/D/11/2144060

6 Arlington Gardens, Saltdean, East Sussex BN2 8QE

- 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 Michael Milburn against the decision of Brighton & Hove City Council.
 - The application Ref BH2010/02803, dated 29 August 2010, was refused by notice dated 26 October 2010.
 - The development proposed is a sun deck to the front elevation.
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Decision

1. I allow the appeal, and grant planning permission for a sun deck to the front elevation at 6 Arlington Gardens, Saltdean, East Sussex BN2 8QE in accordance with the terms of the application, Ref BH2010/02803, dated 29 August 2010, subject to the following 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: 808/06 A, 808/04 and 808/05 A.

Preliminary Matters

2. The plan of the existing elevations shows a Juliet balcony in front of the living room patio doors but that was not there when I visited the site. I also saw that the neighbouring dwelling had a sun deck to the front but the Council advises that this is unauthorised. I have taken these matters into account in my determination of the appeal.

Main Issue

3. The main issue is the effect of the proposed sun deck on the character and appearance of both the host dwelling and the street scene of Arlington Gardens.

Reasons

4. Many of the properties in Arlington Gardens are relatively small bungalows or chalet bungalows, including the appeal property and I saw no particular features of interest or architectural significance. Number 6 is set back from the road in a slightly elevated position but because the main entrance to the

dwelling is not to the front, the property presents a comparatively uninteresting elevation to the road.

5. The proposed sun deck would be about 3m wide and 1.7m deep, extending just beyond the width of the existing patio doors. The base and supports would be timber and it would include vertical steel railings (painted white). The height of the deck above the ground (at the front) would be about 1.35m but this has been determined by the existing finished floor level in the living room.
6. I agree with the Council that because of its positioning the sun deck would be highly visible from the street but because of its size, design and the use of the materials proposed, it would not appear as an over-dominant feature either in relation to the host dwelling or the overall street scene. The relationship between the railings and the fenestration would be as one would expect for an area of decking and would not appear awkward or incongruous. Indeed I consider that the deck would appear as an integral part of the dwelling and not as an ad hoc addition and that it would add interest not only to the property itself but also to the general character of the area.
7. With regard to the living conditions of neighbours I agree with the Council that these would not be significantly harmed.
8. Saved policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan require development to be of a high standard of design and siting, provide visual interest and take into account the character of the neighbourhood. I conclude that this proposal would meet those requirements and that the sun deck would not have a detrimental impact on either the host dwelling or the character or appearance of Arlington Gardens.
9. The Council has not suggested any conditions but I impose the standard time condition and for the avoidance of doubt a condition requiring the development to be undertaken in accordance with the approved plans.
10. For the reasons given above I conclude that the appeal should be allowed.

David Hogger

Inspector