



Appeal Decision

Site visit made on 2 April 2012

by **M F Aldous BA (Hons), Dip Mgt, MRTPI**

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

Decision date: 20 April 2012

Appeal Ref: APP/Q1445/D/12/2171464
2 Tongdean Place, Hove, BN3 6QW.

- 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 Dave Roberts against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/03790, dated 12 December 2011, was refused by notice dated 6 February 2012.
 - The development proposed is a single storey side extension and loft conversion incorporating extension of roof with gable ends and 4 No dormers.
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Procedural Matter

1. I have used the fuller description of the proposal shown in the Council's decision notice.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are:
 - i) The effect of the proposal on the character and appearance of the host building and the surrounding residential area; and
 - ii) The effect of the proposal on the outlook of the residents of 4 Tongdean Road.

Reasons

Character and Appearance considerations

4. The appeal relates to an existing detached residential garage which occupies a position in front of the main and substantial house at 2 Tongdean Place. The immediate area is characterised by sizeable family homes occupying spacious plots within a generally low density setting. The appeal site is located at the end of a long gated drive off Dyke Road Avenue, so is not readily visible from the public realm. It has a considerable recent planning history which does not require repetition, but to which I have had appropriate regard.
5. The current proposal seeks to significantly extend and to partially convert the existing garage / storage building so as to provide a substantial residential annexe to the dwelling comprising various habitable rooms. The net result

- would be to form a much more substantial building that would be visually prominent from surrounding properties.
6. Whilst I readily acknowledge that there are several examples in the area of structures (usually garages), within the front part of residential curtilages, in my view what is proposed because of its size and mass would register as a distinctly discordant feature. It would be uncharacteristic of the area, forming a bulky and intrusive addition that would have the appearance of an additional and independent dwelling, which would be at odds with the spacious, low density pattern of development found in the vicinity and described above.
 7. The design also features a rather complex roof form of hips and gables exacerbated by the insertion of four dormer features at the upper level. The net result when considered against the visual quality of the existing development would be rather inconsistent and disjointed. The overall effect would, in my view, represent a form of harmful overdevelopment to the front of the property that would be detrimental to the character and appearance of the host dwelling and the immediate area. As such I agree with the Council that the proposal is in conflict with policy QD14 of the Brighton & Hove Local Plan (local plan).

Effect on the outlook of residents at 4 Tongdean Road

8. The proposed development would be positioned very close to the rear boundary of 4 Tongdean Road. When viewed from that property the existing garage block is visible but it only extends across part of the mutual boundary between the properties.
9. The proposed development, as indicated above, would have a much greater mass and bulk and it would also extend along considerably more of the rear boundary of 4 Tongdean Road. However, I noted from my site visit that that property has a very long rear garden with the house set a considerable distance from this boundary. There are also intervening landscape features.
10. I formed the view that whilst the proposed development would be more visually prominent when viewed from the rear, given the size of the garden beyond and the degree of separation between the built form, there would be no harmfully unacceptable impact upon outlook considerations when viewed from that direction. As such I have identified no significant transgression of the requirements of policy QD27 of the local plan in this regard.

Other Matters

11. The Council is also concerned, as expressed within its reason for refusal number 2, that the proposal would result in the formation of a separate residential unit which might not be ancillary to the primary residence.
12. I can readily understand such concerns given the self contained nature of the accommodation to be provided, which includes separate access, kitchen and living room accommodation among other features. However, the Appellant has clearly stated that despite the size of the existing property, the additional space sought by the extension is required purely for family or visiting guests only.
13. I accept this statement at face value and additionally note that the formation of a separate unit of residential accommodation would require the prior sanction

of planning approval. On this basis I do not consider that resistance to the proposal in these terms cannot be supported.

Conclusions

14. I have not identified any substantive reasons to resist the proposal in terms of its impact upon the living conditions of the occupants of 4 Tongdean Road or worries about the formation of a separate unit of residential accommodation. However, I have found that given its size, mass, bulk and design, the proposed extension would have a harmful impact upon the character and appearance of the host dwelling and the surrounding residential area. In these regards the proposal is in conflict with the adopted development plan and this represents the decisive factor against the proposal.
15. For the reasons set out above and having had full regard to all other matters raised, I therefore conclude that this appeal should not succeed.

Michael Aldous

INSPECTOR

