



Appeal Decision

Site visit made on 5 August 2013

by D Lamont BSc(Hons) MBA MRTPI MCMi

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

Decision date: 25 September 2013

Appeal Ref: APP/Q1445/A/13/2194254

25 Stoneleigh Avenue, Brighton, East Sussex, BN1 8NP.

- 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 R Laundon against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01253, dated 10 April 2012, was refused by notice dated 7 September 2012.
 - The development proposed is an attached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An earlier appeal (APP/Q1445/A/06/2008912) for the erection of a detached dwelling, served from Stoneleigh Close to the rear of the property, was dismissed. However, the circumstances and planning considerations differ from the current proposal to such extent that it is not directly relevant to this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the building and the street scene.

Reasons

4. The character and appearance of the vicinity of the site is of a relatively low density suburban residential neighbourhood of early to mid 20th century housing. The street scene is predominantly characterised by single storey buildings, interspersed with larger houses. The dwellings are relatively well spaced by gaps between and set behind a general continuum of front boundary walls and hedges. These features contribute to the area's local character and appearance. Although there are garages, they are predominantly small single units; and their low flat roofs and/or set-back positions have largely maintained the sense of space between dwellings. Although dwellings have driveways, their narrowness and separation maintain the street scene's general continuum of appearance of the front wall and hedge enclosure.
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5. No.25 Stoneleigh Avenue lies between detached two-storey houses (nos. 23 and 29). The plot's frontage is unusually wide by comparison with those which predominate along the street. However, the original modest bungalow (with a bedroom in the roofspace) has been extended to substantially fill the width of the plot. This has significantly reduced the original gaps between its side elevations and their respective adjacent boundaries and houses. This has resulted in an unusually wide detached building which is at variance with the width of the other housing and wider gaps between.
6. The property is served by a pair of flat roofed garages on its east side, with a correspondingly wide parking area to the front, which provides three further car parking spaces. The width of its garages and the wide access which serves them, are at variance with the street scene's incidence of small garages, and their resultant narrow associated interruptions to the general continuum of front boundary enclosures.
7. The proposed development would represent a further extension to the property, which would compound its already extensive wide facade and reduced spacing. The proposal's scale, bulk and massing would result in a significant increase in height in close proximity to the adjoining property. These effects would be exacerbated by the further erosion of already reduced spaces between buildings, the two-storey height of the adjoining houses, and loss of the view over the garages' low roof.
8. The proposal would also result in an extension of such large scale as to detract from the modest scale and roofscape of the original bungalow; and be inconsistent with the small scale of the lower roofed properties which predominate on the street. The scale, form and detail of the proposal would also create an imbalance with the original facade's symmetry and balance of the pair of bow windows. This would be exacerbated by the proximity of the proposed new bay to the eastern bow; the former's variation in height, scale and detail from the original bows and imbalance with the western 'box' window.
9. The effects would be to detract from the original buildings' layout, scale and forms, and the spaces between buildings; which contribute to the local character and appearance of the area. For these reasons, the proposed scale, bulk, massing and detail, would cause unacceptable harm to the character and appearance of the building, its setting and the street scene. This would be contrary to Brighton and Hove Local Plan 2005 Policies QD1, QD2 and QD14. These policies require new development to make a positive design contribution, which emphasises and enhances local characteristics and visual and environmental qualities. These policies also require extensions to retain appropriate gaps between houses and relate well to the host property.
10. Additionally, it is proposed that the five parking spaces currently available to no. 25 would be lost to the proposed curtilage of the new house. A total of three parking spaces are proposed for both properties. Notwithstanding the substantial reduction in no.25's parking requirements, there is no indication on the submitted plans as to how the proposed three spaces would be divided between the two dwellings, within their respective curtilages. In light of the extensive width of the existing opening, the creation of a wider or additional opening to provide additional parking to the front of no.25's reduced curtilage

would further erode the front enclosure and cause harm to the character and appearance of the building's setting and the street scene.

11. Although the appellant has suggested pre-application advice from a Council officer influenced an element of the design, any such advice is informal and without prejudice to a full planning application. I have also taken account of the appellant's reference to permitted development rights and footprint and boundary proximity detail. Although the appellant has suggested Policy QD1 is not relevant as it relates to 'new buildings', as the proposal would create an additional dwelling in a new built form, I am satisfied that the policy's general design guidance is a relevant consideration. I also recognise that the proposal may comply with some of the Policy QD Criteria. However, these considerations do not outweigh the harm I have found.
12. For these reasons, and having had regard to all other matters raised, I conclude that the proposal would cause unacceptable harm to the character and appearance of the host building and street scene, contrary to the Brighton and Hove Local Plan 2005 Policies QD1, QD2 and QD14, and I dismiss the appeal.

D Lamont

INSPECTOR

