



Appeal Decision

Site visit made on 21 February 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

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

Decision date: 17 March 2014

Appeal Ref: APP/Q1445/A/13/2209521

132 Longhill Road, Ovingdean, Brighton BN2 7BD

- 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 George Albrow against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02177 dated 26 June 2013 was refused by notice dated 28 October 2013.
 - The development proposed is the demolition of the existing bungalow and erection of new four bedroom chalet style bungalow.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect on the character and appearance of area.

Reasons

3. The appeal site is an irregularly shaped plot located on steeply sloping land between Longhill Road and Wanderdown Road. Although the address of the existing property is Longhill Road, the existing dwelling is sited in the northern part of the site fronting Wanderdown Road. There is an existing access off Wanderdown Road serving a detached garage to the front of the dwelling. The larger central part of the site is located to the rear of Nos. 130 and 130a Longhill Road which are themselves set in a 'backland' position to the rear of dwellings fronting this road. These dwellings share an access from Longhill Road.
4. The proposed dwelling would be sited in the central part of the site to the south of and at a lower level than No. 16 Wanderdown Road. It would be located to the rear and north-east of No. 130 Longhill Road, at a higher ground level with a higher overall ridge height. It would be served by the existing access off Longhill Road and the existing dilapidated dwelling and garage in the northern, higher, part of the site would be demolished and the area set out as garden.
5. The proposed chalet bungalow style design would incorporate low level eaves with a deep pitched roof with small 'half hips' at either end. Nevertheless, I consider that it would appear as a large dwelling with a bulky roof. Whilst the pattern of development within the immediate area contains a number of 'backland' plots these generally consist of a single row, albeit not regularly spaced, between the dwellings fronting the two parallel roads of Longhill Road

and Wanderdown Road. The proposal would however introduce an additional dwelling between these rows comprising the existing 'backland' plots at 130 and 130a Longhill Road and the dwellings to the north fronting Wanderdown Road. As a result, the proposed dwelling would be sited in relatively close proximity to both existing adjoining dwellings particularly No. 130 to the south-west which is a large detached 2/3 storey dwelling.

6. Having regard to the above factors and taking into account the overall size of dwelling proposed, and notwithstanding that the existing dwelling is to be demolished, I consider that this would introduce a cramped form of development which would not complement its surroundings. I note that the appellant argues that the proposed dwelling would be difficult to see from either adjoining road; whilst I do not wholly agree, the concerns that I have raised are not simply to do with the wider visual impact, but whether the proposed dwelling would sit well within its surroundings. For the reasons set out I do not consider that it would.
7. The Council also raises concerns with regard to the impact on the streetscene of Wanderdown Road resulting from the loss of the existing dwelling. Whilst I agree that the predominant character is of a fairly continuous built frontage, there is a noticeable gap already at the appeal site as the existing relatively modest bungalow is set further back into its plot than the adjoining properties such that only the top part of the roof is readily visible in the streetscene. As such I do not agree that any significant harm would flow from the loss of this dwelling in terms of the character of Wanderdown Road.
8. Notwithstanding this, for the reasons set out, I find that the proposal would have a harmful impact on the character and appearance of the area. This would be in conflict with Policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan (2005) (LP) which seek to ensure that all development proposals demonstrate a high standard of design, make a positive contribution to the visual quality of the environment, and enhance the positive qualities of an area by taking account of, amongst other things, layout of streets and spaces at a density appropriate to its surroundings.
9. It would also fail to satisfy policy in the National Planning Policy Framework (the Framework) which states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of local surroundings.

Other Matters

10. A number of concerns have been raised by local residents, some of which are dealt with above. At the time of the site visit I was able to view the adjoining dwelling, No. 130 Longhill Road, and assess the impact on that property. In my view, the relative proximity of the proposed dwelling and the level differences between the two sites would be such as to result in an overbearing relationship with this property.
11. I noted whilst on site that the proposed site section drawing did not accurately depict the position of the boundary fence relative to the existing ground form, but I have no reason to believe that the relative position of the dwellings shown is inaccurate. Notwithstanding this, it is my assessment that the

- proposal would have an unacceptable impact on the living conditions of the occupiers of this adjoining property, in conflict with LP Policy QD27.
12. In respect of the other dwelling to the south, No. 130a whilst I was not able to inspect this site, I saw that it is sited further from the proposed dwelling. Whilst I acknowledge that there would be some impact arising, given the distance retained between the properties and the oblique angle at which any overlooking might be possible, I do not consider that the relationship with this property would be unacceptable. In respect of the remaining concerns, I find no unacceptable impacts.
 13. The appellant is confined to a wheelchair and the proposed dwelling has been designed specifically to meet his needs. This would include the provision of a level access from the proposed parking area which would be located to the front of the proposed dwelling and in this context I note the appellant's concern regarding the 'ranson strip' along Wanderdown Road. I also consider that the dwelling itself would be well designed and of sustainable construction, with the use of solar panels to provide renewable energy. However, whilst I attach significant weight to these factors overall, I do not consider that they outweigh the harm that I have identified.
 14. The content of the Planning Practice Guidance has been considered but in light of the facts in this case it does not alter my conclusions.

Conclusions

15. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR