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## Appeal Decision

Site visit made on 27 October 2014

**by Sukie Tamplin DipTP Pg Dip Arch Cons IHBC MRTPI**

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

**Decision date: 30 October 2014**

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**Appeal Ref: APP/Q1445/D/14/2221388**

**41 Hangleton Close, Hove BN3 8LT**

- 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 T Bolingbroke against the decision of Brighton & Hove City Council.
  - The application Ref BH2014/01170 was refused by notice dated 18 June 2014.
  - The development proposed is a single storey side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at 41 Hangleton Close, Hove BN3 8LT in accordance with the terms of the application Ref BH2014/01170 dated 11 April 2014, and the plans submitted with it, 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: Location plan, Block plan, T-01 (Elevations), T-02 (Elevations and floor plans).
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 4) The hedge alongside the carriageway shall be retained at a height not less than 1.8 m.

### Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. Hangleton Close consists mainly of detached and semi-detached chalet bungalows set well back from the road. The character of the road is suburban and the quality of the townscape is enhanced by grassy verges, street trees and generous planting of gardens. No 41 is located on an inside corner of the T shaped cul-de-sac, and thus has a wide plot with much of its garden to the side. Nos 41 and 42 have a common building line but this is at an angle to those on either side. The front gardens of both bungalows have significant privacy because of the high box hedges abutting the pavement.

4. The proposed extension would occupy some of the side garden and for the first part would continue the building line of nos 41 and 42. But because of the alignment of the corner plot the development cranks around to follow the line of the road. Consequently the western end of the development would be in front of the front building line of the bungalow to the west, no 40. But the effect on the street scene would be minimal because both the side boundary wall and the double gates on the north-west corner would screen the development when viewed from the cul-de-sac. Moreover the substantial box hedge, currently in excess of 2m in height around the garden would screen most if not all the development.
5. Policy QD14 of the *Brighton and Hove Local Plan* (LP) says that development should take account of the existing space around buildings and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect. This guidance is underpinned by the SPD12<sup>1</sup> which has similar aims. But in the case before me, not only would a significant gap be maintained but this would be greater, even after the construction of the proposed building, than many other spaces between buildings in this cul-de-sac.
6. Consequently I find that the development would not harm the character and appearance of the area nor undermine the aims of LP Policy QD14 and SPD12.

#### **Conclusion and conditions**

7. For the reasons I have given and having taken into account all other matters raised I conclude the appeal should succeed.
8. In addition to the standard implementation condition it is necessary, for the avoidance of doubt and in the interests of proper planning, to define the plans with which the scheme should accord. I also agree it is appropriate to require materials matching those of the host dwelling in the interests of ensuring a high quality of development.
9. Finally to ensure that the verdant character of the street scene is maintained I consider that a condition to require the retention of the hedge is necessary. It would be enforceable and satisfy the other tests of Paragraph 206 of the National Planning Policy Framework.

*Sukie Tamplin*

INSPECTOR

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<sup>1</sup> Design Guide for Extensions and Alterations