
Appeal Decision

Site visit made on 3 March 2016

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 14 March 2016

Appeal Ref: APP/Q1445/D/15/3138395
40 Princes Terrace, Brighton, BN2 5JS

- 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 Mrs Kate Parker against the decision of Brighton & Hove Borough Council.
 - The application Ref BH2015/02991, dated 14 August 2015, was refused by notice dated 5 November 2015.
 - The development proposed is a detached garage and study.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage and study at 40 Princes Terrace, Brighton, BN2 5JS in accordance with the terms of the application, BH2015/02991, dated 14 August 2015, 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: Existing Plans/Block Plan E RevA, South and North Elevations B RevA, Plan and Section RevA, Proposed Block Plan D RevA, Proposed Plans and Elevations A RevA.

Main issue

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

Reasons

3. Princes Terrace contains terraced houses that, because of a notable drop in ground levels to the east and alterations to the roof, appear taller to the rear elevation: there is a lower ground floor and dormer additions common to a number of properties, in addition to the ground and first floors. The proposed outbuilding would be sited at the end of the garden to No. 40, accessed from the garden and from a service road that runs between Princes Terrace and Bennett Road.
4. I saw there are outbuildings and garages to a number of the Princes Terrace properties that front this service road. They vary in appearance, height and width: some fill their plot, others are narrower. I also saw a pair of relatively modern bungalows. The proposals in the scheme before me would fill the width of the plot and be some 4m to the ridge. Whilst that would appear larger than other outbuildings along the service road, it would not appear disproportionate

to the size of the plot to No. 40, nor to the terrace of housing itself. The vicinity is dominated by the size and scale of the Princes Terrace houses, as well as the strong and solid building line of the rear of the terrace to Bennett Road; the proposal would fit comfortably within that character, and relate appropriately in scale to the outbuildings nearby.

5. The design of outbuildings in the area vary, and the submitted drawings for the scheme in this instance show a restrained, modern design that would appear as an ancillary domestic outbuilding that is quite commonly seen in garden locations.
6. Sufficient private garden space would remain to No. 40. The height of the building and position of windows would not lead to any harm to the living conditions of adjoining occupiers. I note comments from the local planning authority regarding possible uses for the outbuilding. The application form stated the outbuilding will be a garage and study, and I have determined the appeal on that basis; the local planning authority would be able to control any alternative uses that may require planning permission.
7. The proposals would therefore accord with Policies QD2 and QD14 of the Brighton and Hove Local Plan, the general thrust of which is to ensure that new development is designed to take account of the local characteristics of the area, and is well designed, sited and detailed. The proposals would also be consistent with similar objectives as set out in the Council's Design Guide for Extensions and Alterations Supplementary Planning Document 2013.
8. For the reasons given, and having regard to all other matters raised, the appeal is therefore allowed. The submitted drawings and application form specify the materials to be used for the outbuilding, and so a condition is necessary specifying the approved drawings, for the avoidance of doubt and in the interests of proper planning.

C J Leigh

INSPECTOR