



Appeal Decision

Site visit made on 22 January 2018

by **S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th January 2018.

Appeal Ref: APP/Q1445/W/17/3185420

Land adjacent to 55 Rotherfield Crescent, Brighton, East Sussex BN1 8FH

- 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 Martin Poore against the decision of Brighton & Hove City Council.
 - The application Ref BH2017/01735, dated 17 May 2017, was refused by notice dated 13 July 2017.
 - The development proposed is demolition of existing garage and construction of a 1-bedroom chalet bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) the effects of the development on the character and appearance of the area;
 - b) whether or not the proposal would provide satisfactory living accommodation for future occupants.

Reasons

3. The houses in Rotherfield Crescent are not identical in architectural style. Nevertheless, the street is predominantly characterised by pairs of semi-detached, two-storey dwellings with hipped roofs. The area has a spacious feel as a consequence of the surrounding topography, the gaps between the buildings and the manner in which the dwellings are set back from the street.
4. The appeal site is occupied by a double garage with a flat roof which sits alongside No 55 and is set back from its front elevation. The garage associated with the adjacent property, No 57, has been converted into living accommodation. Similar garages with flat roofs are a feature of other houses in the area and only appear untidy where they have not been adequately maintained.
5. No 55 is sited close to a corner of the street on a wedge-shaped plot. It has a wide frontage but the rear garden is much narrower. The appeal site has a frontage that is comparable in width to that of No 55, but it only extends as far back as the rear of the existing garage. The plot is therefore considerably smaller than any others in the locality.

6. The dwelling, which it is proposed would replace the double garage, would occupy the full width of the plot and would include only a minimal amount of space at its rear. Its front elevation would project forward of the front elevation of No 55 and the converted garage at No 57. It would be unusual in that it would include two elevations at an obtuse angle to one another. Each associated roofslope would include a flat roof dormer window. The overall height of the dwelling would be less than that of No 55.
7. The proposal as a whole would be out of keeping with the proportions, shape, mass and distinctive features of the surrounding dwellings. As well as appearing to be squeezed onto this awkwardly-shaped small plot, it would be incompatible with No 55 and out of place alongside this adjacent two-storey dwelling. Rather than appearing subservient to the neighbouring buildings, its failure to relate effectively to the front elevations of the properties on either side would make it appear intrusive in the street scene. The dormer windows would introduce a new and alien feature in a street where dormers are not part of the front roof slopes. Added to this, the loss of the gap between the adjacent buildings at first floor level would be harmful, as these gaps make a significant contribution to the area's spacious appearance. The consequence of the inadequate space around the proposed dwelling would be a cramped and inappropriate form of development that would fail to compliment or improve the quality of the area.
8. I am mindful that the Council has granted permission for a dwelling adjacent to No 85 Rotherfield Crescent. However, from the limited details provided, this scheme involved a larger plot fronting Rotherfield Close. In that case the proposed dwelling would relate differently to the adjacent buildings and the surrounding street scene. It is therefore not directly comparable with the appeal proposal, which I have determined on its individual planning merits.
9. I conclude that the proposal would harm the character and appearance of the area, contrary to Policy CP14 of the Brighton & Hove City Plan: Part 1 (City Plan) which, amongst other things, requires development to be high quality design which respects, reinforces and contributes to a sense of place.

Living conditions

10. The proposed dwelling would have an open plan kitchen/dining/living area and bathroom on the ground floor. The bedroom would be within the roofspace and consequently only 4.3sq.m would have headroom of 1.5m or more. The Council has not adopted the Nationally Described Space Standards which require 7.5sq.m for a single room. However, the proposal would be significantly below this indicative minimum floor area suggesting it would be completely inadequate.
11. There would be a small, rear courtyard patio of 6sq.m. This would have limited outlook and feel very enclosed. In my view it would be unsatisfactory in terms of its quantity and quality to serve a small one-bedroom dwelling. Even if the area in front of the building was used to grow vegetables, it would not add significantly to the available private amenity space.
12. I therefore conclude that the proposal would provide unsatisfactory living conditions for future occupants, contrary to saved Policy QD27 and HO5 of the Brighton & Hove Local Plan. These policies, amongst other things, seek to protect the amenity of a development's future users.

Conclusions

13. The Government is seeking to significantly boost the supply of housing and requires applications for housing to be considered in the context of the presumption in favour of sustainable development. The proposal would provide a small unit of accommodation for which there is an identified need and would do so without harm to the amenity of adjoining occupiers. The highway authority is satisfied that its requirements could be met through imposition of appropriate conditions. These factors weigh in the scheme's favour.
14. However, I have found that the proposal would conflict with the development plan as it would harm the character and appearance of the area and provide unsatisfactory living conditions for future occupants. The benefits associated with the provision of an additional dwelling do not amount to a material consideration that outweighs this conflict.
15. For this reason, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR

