



Appeal Decision

Site visit on 24 November 2010

by Graham Self MA MSc FRTPI

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

Decision date: 8 December 2010

Appeal Ref: APP/Q1445/D/10/2139368
Land at 2 Tongdean Place, Hove, BN3 6QW

- The appeal is by Mr David Roberts. It is made under Section 78 of the Town and Country planning Act 1990, against a refusal of planning permission by Brighton and Hove City Council.
 - The proposed development was described in the application as: "Amendments to previous approval roof conversion of existing detached garage incorporating 3no dormers to South and separate entrance with external stairs to East to include North roof extension". The proposed development was described in the council's refusal notice as: "Roof conversion of existing detached garage incorporating 3no dormers to South and separate entrance with external stairs to East".
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Decision

1. I dismiss the appeal.

Reasons

2. The main issue raised by this appeal is whether the design and appearance of the proposed development would be satisfactory and whether its effect on the outlook from the property at No 4 Tongdean Road would be acceptable, taking account of applicable planning policies.
3. The existing outbuilding appears to be mostly used as a garage, incorporating a garden room, with adjacent store. The garage roof is higher than the roof of the store. The garage roof is pitched and hipped. The roof shape is such that when seen from the front (south-east) or rear (north-west), the ridge is comparatively short (about 3 metres) and the sloping sides are each about 4.5 metres in length.
4. The proposed enlargement would give the upper part of the building a "semi-hipped" or "barn-hipped" design. Seen from the front and rear, the roof ridge would be about 7 metres long and the semi-hips at each end would be a little over 1 metre in length. The height of the side and rear walls would be approximately doubled, from about 2.3 metres to about 4.9 metres. The front roof slope would remain, but three dormer windows would be inserted into the slope.
5. The overall effect of the development would be to increase the bulk of the upper part of the building. The side elevations would become asymmetrical. Looked at from the front, the building would look "top-heavy" but it would not be unattractive. However, from the rear (north-west), the increased bulk of

the upper part would be much more apparent. The building stands very close to the boundary between the appeal site and the back garden of No 4 Tongdean Road.

6. The property at No 4 Tongdean Road has a large garden, the rear part of which is mostly lawned and is at a higher level than the adjacent land within the appeal site. The enlarged building would be partly screened by trees and shrubs in the garden of No 4. These factors would help to limit the visual impact of the development when seen from the garden at No 4. Even so, the combination of its height, its increased rear wall area compared with the existing building, and its position so close to the site boundary would make the north-west elevation of the enlarged building a bulky, prominent and rather incongruous feature in the outlook from the rear part of the garden of No 4 Tongdean Road.
7. A different proposal for enlarging the appeal building has evidently been granted planning permission by the City Council. This alternative would have a gable-ended roof with its ridge at the same height as the appeal proposal (and as the existing building). However, the permitted scheme would not have as much vertical mass in its north-west elevation as the appeal scheme; and the ridge of the permitted scheme would be further away from the boundary than would be the top of the roof of the appeal proposal. Nor would the permitted scheme have what appears to be a quite large ventilation grille in the rear wall at a height above the proposed fence – a minor item in some ways, but one which would not help to improve the attractiveness of the structure.
8. Taking into account all the above factors relating to the design, appearance and impact of the proposed development, I find that the decision is marginal. On balance, I judge that the City Council's refusal of permission was soundly based and should not be overturned, primarily because the upper part of the enlarged building would be over-dominant and unattractive when viewed from the garden of No 4 Tongdean Road.
9. In reaching my decision I have had regard to relevant planning policies, in particular those in the Brighton and Hove Local Plan relating to design and residential amenity. This is a case where the policy background does not provide decisive guidance either way, because it is necessary to assess the impact of the proposal in order to judge whether it would comply with policy. Having reached the conclusions expressed above, I find that the proposal would conflict with policies QD14 and QD 27 of the local plan.

G F Self

Inspector