



Appeal Decision

Site visit made on 27 October 2014

by Sukie Tamplin Dip TP Pg Dip Arch Cons IHBC MRTPI

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

Decision date: 30 October 2014

Appeal Ref: APP/Q1445/D/14/2225254

52 Bates Road, Brighton, East Sussex, United Kingdom BN1 6PG

- 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 Dr Rebecca Moberly against the decision of Brighton & Hove City Council.
 - The application Ref BH2114/01720, dated 26 May 2014, was refused by notice dated 3 July 2014.
 - The development proposed is erection of bicycle storage shed.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a bicycle storage shed at 52 Bates Road, Brighton, East Sussex, United Kingdom BN1 6PG in accordance with the terms of the application Ref BH2114/01720, dated 26 May 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, Existing elevations and floor plans, Proposed elevations and floor plans, Bike Storage Shed proposed east and west elevations.
 - 3) The bicycle storage shed hereby approved shall be of timber construction with a green painted finish and thereafter retained as approved.
 - 4) The trellis and climbing plant(s) as indicated on the elevational drawings hereby approved shall be installed/planted in the first planting season following the completion of the bicycle shed. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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. Bates Road is lined for the most part by handsome Edwardian terraced housing set behind short front gardens or privacy strips. The houses are mostly constructed in brick with square bays and feature gables. On the south side of the road the majority of houses have a basement but on the north side of the road the short front gardens of the houses including that of no 52 are set above pavement level. Thus there is a significant difference in height between the pavement and the enclosed front gardens, particularly toward the west end of the street. But no 52 is located towards the eastern end of the and here the difference in pavement height and the height of the front gardens is minimal, with a step up of about 20-30cm.
4. There appear to be no back alleys or external access to the back garden. Accordingly there would seem to be no alternative for the storage of bicycles other than to carry them through the houses. On the day of my visit most houses had their bins and recycling containers on the street waiting to be collected. Where these were not on-street I saw that they appeared to be stored on the front garden strip. I accept that my view of the street scene was a snap shot in time and the clutter was probably at a maximum. But in my opinion there is a significant likelihood that in the absence of rear access, the front gardens are used for storage and I also saw a few bicycles under tarpaulins. Photographs submitted with the appeal and the comments of neighbours tend to confirm that the privacy strips are regularly used in this way.
5. I agree that the proposed storage shed would be prominent in the street. It is also unfortunate that the siting of the shed would partially obscure the ground floor bay window and thus there is some conflict with *Brighton and Hove Local Plan* (LP) Policy QD14. However this impact needs to be weighed against the benefits of the development. In this respect I consider that the shed would provide a neat and secure solution for bicycle storage and this in turn would encourage the use of sustainable transport which is supported by the LP Policy QD2. I also consider that the circumstances at the appeal site are atypical in this road because the privacy strip is not significantly elevated and this would mean that the shed would be less prominent than in other front gardens in the vicinity. I saw the storage shed at no 56, which is also at the eastern end of the street, but have given this little weight in my decision because the Council say that it may be unauthorised.
6. I therefore find that the limited visual impact of the cycle shed would be outweighed by benefits including a reduction in clutter and because it would encourage the use of sustainable transport. Thus on balance the effect on the character and appearance of the area would be acceptable. I also consider that the development would be in the spirit of the sustainable development which is supported by the National Planning Policy Framework.

Conclusion and conditions

7. For the reasons I have given and having taken into account all other matters raised I conclude that 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 specify

the materials in the interests of ensuring a high quality of development.
Finally in order to soften the outline of the structure the implementation and retention of landscaping is necessary.

Sukie Tamplin

INSPECTOR

