



Appeal Decision

Site visit made on 2 December 2014

by R J Marshall LLB DipTP MRTPI

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

Decision date: 19 December 2014

Appeal Ref: APP/Q1445/A/14/2225655

4, Barrowfield Close, Hove, East Sussex, BN3 6TP

- 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 and Mrs J T Platt against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02487, dated 23 July 2014, was refused by notice dated 8 September 2014.
 - The development proposed is erection of 4 bedroom detached dwelling house on land previously designated as plot 2 Barrowfield Close.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appellants did not turn up for the site visit. However, they were contacted by the Planning Inspectorate and with the agreement of the 2 main parties I conducted an unaccompanied visit.

Main Issue

3. The main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area; and **second**, if harm arises whether that would be outweighed by housing land supply considerations.

Reasons

Character and appearance

4. The appeal site lies in an attractive low-density residential area of Brighton. It is at the top end of the relatively short cul-de-sac, Barrowfield Close. From its junction with Tongdean Avenue this Close runs uphill to a small turning circle around which are located 5 houses. They are attractive properties of varied design. They are generally well set back from the highway which gives this part of the Close an attractively spacious appearance. The appeal site, a fairly wide and lengthy parcel of land, lies to the side of No. 4 Barrowfield Close, the most southerly house in the cul-de-sac. At the entrance to the cul-de-sac are 2 houses, both of which are located closer to the highway than most of the other properties in the Close. There is a recently permitted extant permission for the house at No. 4 to be replaced by a much larger house. This would have its

main front elevation in line with the front of the existing house with the exception of 2 short projections. It would, however, extend much deeper into the plot.

5. The proposed house is a predominantly 2 storey property with a conventional front elevation with a hipped roof. As such the front elevation would be entirely in keeping with other houses in the cul-de-sac. I see no harm in the design of a lengthy single-storey side element given that neighbouring properties and hedgerows both on and off the site would largely screen it. The displacement of windows in the side elevations is not so random as to be unacceptable.
6. Unlike some locally I see no harm in principle to some form of development on the appeal site. Its width and depth makes it a fairly logical infill site. Moreover, sufficient space would exist between the proposed house and the existing house at No. 4 for the 2 properties not to be seen too much as one overall mass. The hipped roof design of the proposed house, which would reduce the bulk of the roof, and the variation in building heights would assist in this regard. However, I share local concerns about the possibility if the house recently permitted at No. 4 was constructed in addition to the scheme on appeal. In these circumstances the relatively close location of 2 lengthy side elevations would make for an over-intensive form of development.
7. Of even greater concern is the degree of forward projection of the proposed house towards the highway. It would be substantially further forward of the adjoining house No. 4, which itself is the forward-most house around the cul-de-sac head. As such it would stand out intrusively and detract from the current spacious character and appearance of this part of the road. With this degree of projection the lengthy 2 storey side elevation would be intrusive in views both up and down the cul-de-sac. The views of it from the top end of the road would remain sufficiently pronounced, even were the recently permitted house at No. 4 constructed, for the proposed development to remain intrusive from this viewpoint.
8. The appellant says that the location of the proposed house would be acceptable given that it would not come forward of No. 45 Tongdean Avenue, one of the 2 houses to either side of the road at the bottom end of the cul-de-sac. However, these 2 houses in the lowest part of the road appear set apart from the other houses in the Close. It is thus against the setting of the 5 houses at the top of the cul-de-sac that the proposed development should be assessed, as I have done above.
9. Although not an issue for the Council I share local concerns about the substantial area of dropped kerb that the proposed plans appear to show. It seems likely that as a result much of the highway grass verge forward of the site would be removed. The appellant has not suggested otherwise. Loss of the verge would detract from the informal layout of the cul-de-sac to the further detriment of its character and appearance.
10. In 1979 outline planning permission was granted for a house on the appeal site slightly forward of the location now proposed. Over the years the permission was renewed, the last time being in 2001. However, these decisions are now quite dated and in light of the stress in the National Planning Policy Framework (the Framework) on the need for good design and for new development to respond to local character I consider the Council to have been justified in

refusing the current application. That the Council made no specific reference to harm through the forward location of a house more recently refused permission on the appeal site, and is alleged to have offered no feedback on the current proposal, does not alter my view on this.

11. As correctly recognised by the Council the appeal site is sufficiently removed and well screened from the Tongdean Conservation Area for the proposed development to have no impact at all on its setting. However, this does not lessen the harm identified to the more immediate setting of the site referred to above.
12. It is conceded that the proposed development would detract from the character and appearance of the surrounding area. It would be contrary to Policies QD1 and QD2 of the Brighton and Hove Local Plan (2005) which require new development to make a positive contribution to the character and appearance of areas and take into account local characteristics.

Land supply

13. The Council concedes that, against the only current full objectively assessed need for housing, it does not have a 5-year housing land supply. An absence of a 5-year housing land supply runs contrary to a key aim of the Framework which is to boost significantly the supply of housing.
14. Absence of a 5 year supply of housing land brings into play paragraph 49 of the Framework. This says that in such circumstances relevant Policies for the supply of housing should not be considered up to date. In turn paragraph 14 of the Framework provides that when a development plan is out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
15. The Framework promotes sustainable development. There are 3 dimensions to this, economic, social and environmental. The provision of new housing in an urban area where it is required clearly meets the economic and social dimensions. In part also, given the general sustainability of building in urban areas, it would meet the environmental dimension. However, this dimension also requires the protection and enhancement of the built environment. The proposed development would fail to achieve this for the reasons given. The degree of harm is such that when assessed against the policies of Framework as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the limited benefits that would occur from the provision of just a single house. Therefore, the imperative to grant permission in paragraph 14 of the Framework in the absence of a 5-year housing land supply does not apply.

Other matters

16. Local residents raise matters of concern beyond those of the Council. On increased traffic generation the erection of a single dwelling should not increase traffic movements to an unacceptable degree. The provision of only one parking space for a development of this size accords with Council standards. Whilst this could potentially result in some overflow parking on the highway the Close appears wide enough to accommodate this without unduly impeding other traffic. The Council's highway department has no objection to the

proposal and no contrary professional view has been provided. The proposed access would require the re-location of a street light. Had I been minded to allow the appeal this could have been dealt with under other legislation. However, lack of harm on these matters does not make the proposal acceptable given my findings on the main issues.

Conclusion

17. For the reasons given above the appeal should be dismissed.

R J Marshall

INSPECTOR