
Appeal Decision

Site visit made on 15 December 2015

by Rory Cridland LLB (Hons)

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

Decision date: 10 February 2016

Appeal Ref: APP/Q1445/W/15/3133283

2a Shanklin Road, Brighton BN2 3LQ.

- 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 Nigel Hughes against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/01408, dated 20 April 2015, was refused by notice dated 11 Aug 2015.
 - The development proposed is alterations to existing garage unit to facilitate parking of motor home vehicle.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to existing garage unit to facilitate parking of motor home vehicle at 2a Shanklin Road, Brighton BN2 3LQ in accordance with the terms of the application, Ref BH2015/01408, dated 20 April 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 drawing number 2279/15/01C.
 - 3) Before the first active use of the building hereby permitted the window on the southern elevation shall be fitted with obscured glass and shall be permanently retained in that condition.
 - 4) The building hereby permitted shall be rendered in accordance with details to be submitted to and approved in writing by the Local Planning Authority, which shall include the wall adjacent to the boundary with No.39 Hartington Road. Development shall be carried out in accordance with the approved details and shall thereafter be permanently retained in that condition.

Preliminary matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered which corresponds to that on the Council's decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
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Main Issue

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

Reasons

4. The appeal site is situated in a residential street comprising mainly two storey, terraced properties and forms part of a terrace of three garages of similar construction and appearance. Work has already been carried out to increase its height but it is evident that the extant structure upon which the additions are set has a firmly established building line which is already set forward from the adjacent properties.
5. Although the proposal would result in an increase in height of approximately 1 metre to the front and 2 metres to the rear, it's siting in an area where the ridge heights of the surrounding dwellings are considerably higher, helps to ensure it does not appear dominant or overbearing within the wider street scene.
6. Likewise, its smooth rendered finish would be in keeping with the side elevation of the neighbouring terrace as well as the rear extension of No. 37 Hartington Road which further helps it to integrate with the surrounding area.
7. While I note the planning officers concerns regarding its scale, particularly in relation to the adjoining garages, I am satisfied that, due to the fact that the original garage was already larger and set higher than those adjoining it, any harm resulting from this increase in scale would be limited and not sufficient to justify refusing permission.
8. Consequently, I am satisfied that the proposed development would not be a dominant addition to the street or out of keeping with the character and appearance of the area and, accordingly, find no conflict with polices QD1, QD2 and QD14 of the Brighton and Hove Local plan or the Supplementary Planning Document 12, Design guide for Extensions and Alterations which, taken together, seek to preserve and enhance the character and appearance of the surrounding area and ensure that the design of new development takes account of local characteristics.

Other matters

9. I note the concerns of the occupier of No.39 Hartington Road in respect of the boundary and in particular those relating to the exposed brickwork and outlook. However, the plans indicate that the proposal would include a smooth rendered finish along this boundary which would help mitigate its impact. Likewise, while I note the increased height, I am satisfied that the proposal would be sufficiently distant from the main dwelling of No. 39 that any sense of enclosure would be limited. Accordingly, I do not regard these concerns as sufficient to justify a refusal of permission.

Conclusion

10. In addition to the standard time condition, I regard a condition specifying the compliance with the approved plans as necessary for the avoidance of doubt.
11. Likewise, I regard a condition requiring the submission of details regarding rendering of the external walls, including the wall along the boundary with No.

39 Hartington Road as necessary to protect the amenity of the occupiers of that and neighbouring dwellings.

12. I also note that the drawings indicate obscured glazing in the window on the south side elevation. Notwithstanding the condition requiring compliance with the approved plans, I regard a condition securing its retention as necessary in order to protect the amenity of neighbouring properties.
13. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should succeed.

Rory Cridland

INSPECTOR

