



Appeal Decision

Site visit made on 12 September 2014

by Julie Dale Clark BA (Hons) MCD DMS MRTPI

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

Decision date: 19 September 2014

Appeal Ref: APP/Q1445/D/14/2221000

140 Longhill Road, Ovingdean, Brighton BN2 7BD

- 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 Nicholas Monti against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00722, dated 5 March 2014, was refused by notice dated 2 May 2014.
 - The development proposed is addition of new gable fronted bay to front elevation including the creation of a garden room at lower ground floor level.
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Decision

1. The appeal is allowed and planning permission is granted for the addition of new gable fronted bay to front elevation including the creation of a garden room at lower ground floor level at 140 Longhill Road, Ovingdean, Brighton BN2 7BD in accordance with the terms of the application, Ref BH2014/00722], dated 5 March 2014, 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - *12/09/03 – Location Plan; 12/09/04 – Block Plan; 12/09/03 – Plans as Existing; 13/02/01 – Elevations as Proposed; and 13/02/02 – Plans and Section as Proposed.*

Reasons

2. The Council state that a boundary to the Ovingdean Conservation Area is on the opposite side of the road and whilst section 71(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, no details of the Conservation Area have been submitted with this appeal. However, Local Plan¹ policy HE6 relates to

¹ Brighton & Hove Local Plan 2005, Adopted July 2005.

development within or affecting the setting of Conservation Areas and as well as preserving or enhancing the appearance of the area proposals should also show a consistently high standard of design and detailing that reflects the character or appearance of the area, amongst other things. Policy QD2 sets out key principles for design and QD14 along with the SPD² specifically relate to extensions and alterations to existing buildings.

3. The house has been extended and altered in the past but still remains relatively modest in appearance although the additions do appear as a collection of unplanned and improvised add-ons. The proposal would result in a significant alteration to its appearance and being on the front of the house would be apparent in the street scene.
4. However, I do not consider that the effect would be detrimental to the character or appearance of the area. The house would look different to how it looks now but there are different styles of dwellings in the area and I do not consider that the resulting dwelling would be out of place. The property is in an elevated position but it is set back from the road. I do not consider that it would conflict with Local Plan policies HE6, QD2 or QD14 or the SPD.
5. The Council suggest a condition that the materials of construction match those of the existing dwelling, this is necessary to secure an appropriate appearance and is in line with Planning Practice Guidance³. Also, otherwise as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans and in the interests of proper planning. I shall impose a condition accordingly.
6. I have considered all matters raised but none alter my conclusion. I conclude that the proposal would be acceptable, it would not harm the character or appearance of the area nor would it conflict with the policies referred to. The appeal therefore succeeds.

J D Clark

INSPECTOR

² spd 12 supplementary planning document. Brighton & Hove City Council Local Development Framework, adopted 20 June 2013 – design guide for extensions and alterations (SPD).

³ Planning Practice Guidance, published 6 March 2014.