



Appeal Decision

Site visit made on 6 August 2008

by **Alison Lea MA(Cantab) Solicitor**

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

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Decision date:
21 August 2008

Appeal Ref: APP/Q1445/A/08/2068227

14 Petworth Road, Brighton BN1 8LQ

- 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 J Chinchin against the decision of Brighton & Hove City Council.
- The application Ref BH2007/03164, dated 16 August 2007, was refused by notice dated 29 November 2007.
- The development proposed is the demolition of the existing single storey garage and the construction of an attached 2 storey house.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a 2 storey semi-detached house with a single storey utility room and garage to the side. It is situated in a residential road characterised by similar properties. The proposal would involve the demolition of the utility room and garage and introduce a 2 storey house which would be attached to the flank wall of No 14 resulting in a small terrace of 3 houses. Although I note that the Council has expressed some concerns about the detailed design of the proposal I accept that the materials and fenestration proposed would not look out of keeping either with No 14 or the surrounding area.
4. Petworth Road is characterised by pairs of semi-detached houses with substantial gaps between the pairs, particularly at first floor level. Although some of the properties are joined by single storey development I do not agree with the appellant's description of some of the properties, including the appeal property, as terraced. The proposal, although designed in some ways to appear as an extension to the parent dwelling, with a set back from the front building line and a roof which would project off the main roof slope under the main ridge height, would nevertheless, by virtue of its width and bulk fail to appear subservient to it. It would unbalance the pair of semi-detached houses and would substantially fill the gap at first floor level between No 14 and the boundary with the neighbouring property. Although I accept that some gap

between the properties would remain, and that the spaces between properties in Petworth Road are not uniform, nevertheless I consider that the rhythm of the street would be interrupted and that that would cause significant harm to the character and appearance of the area. Accordingly I conclude that the proposal would be contrary to Policies QD1 and QD2 of the Brighton & Hove Local Plan 2005 (LP) which provide, amongst other matters, that new buildings must make a positive contribution to the visual quality of the environment and take into account the design of existing buildings and the layout of streets and spaces.

5. I accept that LP Policy QD3 requires new development to make efficient and effective use of a site and that this reflects national planning advice as contained in particular in Planning Policy Statement 3: Housing (PPS3). However, this should not be at the expense of the environment and in this case I agree with the Council that the harm which would be caused by this proposal to the character and appearance of the area outweighs the need to make efficient use of land.
6. I note that No 13 Petworth Road has a substantial 2 storey extension. However, although it is a semi-detached property, due to its position at the head of the cul-de-sac it does not form part of a row with other houses and the extension does not therefore interrupt the rhythm of the street.
7. The appellant has referred to a decision relating to 109 Cowley Drive, Ref APP/Q1445/A/06/2027078. I note that in that case the Inspector referred to it being difficult to identify the particular character of the area and concluded that the appeal proposal would not compromise the symmetry or harmony of the terrace as a gap between the proposal and the adjacent property would remain. However, in this case I consider that the proposal would unbalance the pair of houses and would interrupt the rhythm of the street and accordingly, I do not find that case of any assistance. In any event have considered this case upon its own merits.
8. I conclude therefore that the proposal would cause significant harm to the character and appearance of the surrounding area and would be contrary to LP Policies QD1 and QD2.

Other Matters

9. The appellant has clarified that no on-site parking is proposed as it is considered that the vehicles generated by both the host house and the proposed new house could be easily absorbed on street. Although at the time of my site visit in the afternoon on-street parking was available I have not been provided with any information regarding general levels of parking in the area. As the site is outside a controlled parking zone, SPGBH4 (the SPG) which has been adopted by the Council following public consultation and therefore attracts significant weight, sets out a maximum parking standard of 1 space per dwelling plus one space per 2 dwellings for visitors.
10. I note the Council's view that access to public transport from the site is not high and that the site is not in a sustainable transport corridor and therefore that the development is likely to attract private vehicle use. I also note that LP Policy TR2 provides that permission will only be granted for proposals that have been assessed to determine their level of accessibility to public transport and

that according to that assessment the appropriate level of parking should be provided. Furthermore, where parking levels below the standard are agreed measures will be specified for monitoring on street parking. In this case no parking would be provided for either the host property or the appeal proposal, and given the location of the site and the absence of any information with regard to levels of parking, this adds to my concerns about this proposal.

11. The Council has also stated that it has not been demonstrated that the proposal would achieve acceptable standards of sustainability, be efficient in the use of energy, water and materials, would be built to Lifetime Homes Standards or would minimise and re-use construction industry waste. However I am satisfied that all of these matters could have been dealt with by the imposition of appropriate conditions and have therefore not considered these matters further.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Alison Lea

INSPECTOR