
Appeal Decision

Site visit made on 15 September 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 28 October 2016

Appeal Ref: APP/Q1445/W/16/3152655
86 Overhill Drive, Brighton BN1 8WJ

- 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 Jamie Shefford against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/04395, dated 22 November 2015, was refused by notice dated 15 March 2016.
 - The development proposed is described as "erection of semi-detached three bedroom dwelling".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description from the planning application form. However, the proposed dwelling would be added to the side of a semi-detached property such that the resulting building would comprise a terrace of three properties. I have considered the appeal on this basis.
3. Following refusal of the planning application, the Brighton & Hove City Plan Part One (CP) was adopted and policies within that plan have superseded a number of policies contained within the Brighton & Hove Local Plan (LP). The Council confirmed that Policies QD1 and QD2 of the LP have been replaced with Policy CP12 of the CP and the appellant was given the opportunity to comment on this. I have based my decision on the current adopted policies.

Main Issue

4. The main issue is the effect of the proposed dwelling on the character and appearance of the existing building and surrounding area.

Reasons

5. Overhill Drive is a residential street comprising predominantly two storey semi-detached properties of similar character. Those surrounding no. 86 on this side of the road were originally all of the same design, although a number have been extended and altered over the years. Those on the opposite sides of the road are of similar character although are of differing original designs.
 6. 86 Overhill Drive is a two storey semi-detached property with a hipped roof and single storey garage attached to the side. The side of the building is
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prominent in views along the road as it is located on the outside of a bend, but separated from the road by a small side garden. The front of the building faces a short cul-de-sac off the main Overhill Drive. The proposal would provide an additional dwelling attached to the side of the property, the end of which would face along Overhill Drive.

7. As a result of the location and proximity of the additional dwelling to the road, the proposal would be prominent in views along the street. This dominant effect would not be wholly overcome by the design of the side elevation, including the proposed front door to the new dwelling, which provides more articulation and visual interest than the existing side elevation.
8. The proposed dwelling would be on the same building line, flush with the front of the existing building. Whilst this is similar to other extensions on neighbouring properties, including that under construction at no. 88 to the rear, it would be in a more prominent location and would be noticeably wider than those, with a bay window that would make the proposed attached dwelling more prominent in the street scene.
9. I note that no. 84 has a hip to gable roof extension that slightly unbalances the existing pair of houses, but the size and design of the proposed new dwelling would overwhelm the pair of semi-detached houses and dominate the building. As a result, the scale and bulk of the proposed new dwelling would harm the character and appearance of the existing building and surrounding area.
10. For these reasons, I conclude that the proposed dwelling attached to the side of this semi-detached house would harm the character and appearance of the existing building and surrounding area. As such, the development is contrary to Policy CP12 of the CP that seeks to raise the standard of architecture and design in the city and establish a strong sense of place, respecting the character of the surroundings.
11. I note that the location, design and orientation of the proposed dwelling would ensure it would not cause overshadowing or overlooking of neighbouring properties such that the living conditions of occupiers of those dwellings would not be harmed. The size of the proposed plot would result in gardens that are smaller than most others in the locality, but would provide acceptable living conditions for prospective occupiers and would not be so small as to add to the harm that would be caused by the proposed development to the character and appearance of the area. The proposal would provide a property that may be more affordable than others in the locality and there may be demand for properties of this type. However, none of these matters would outweigh the harm to the character and appearance of the existing building and surrounding area.
12. On the basis of the above considerations, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR