

Appeal Decision

Site visit made on 20 April 2017

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 17 May 2017

Appeal Ref: APP/Q1445/D/17/3168615

35 Lenham Avenue, Saltdean, Brighton, BN2 8AG

- 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 Miss Antonia Paddock against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/05334, dated 16 September 2016, was refused by notice dated 14 November 2016.
 - The development proposed is the conversion of an existing bungalow into a 1 1/2 storey house (new pitched roof first floor and internal alterations).
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development on, firstly, the character and appearance of the surrounding area and, secondly, the living conditions of adjoining occupiers.

Reasons

Character and appearance

3. The property is one of a small group of bungalows of similar appearance. Although the wider residential area is of varied character, it is apparent that this grouping of three bungalows takes account of their setting in the undulating landform of the area: the slope of the land gradually descends northeastwards, and so the gradual downwards sweep of the bungalows until reaching the marginally taller properties of Nos. 37 and 39 is appropriate to the area.
 4. The proposed raising of the appeal property would be a substantial addition which, as the Council say, would increase the dominance of the building and create a disruptive roofline at odds with the slope of the land and the existing setting of properties along that slope. The extended property would appear tall and incongruous in the street scene and so no longer respecting the landform and the relationship of the properties to the road. The anomalous appearance emphasised by the large glazed design in the front elevation.
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5. On the first issue it is therefore concluded that the proposed development would be harmful to the character and appearance of the surrounding area. The appellant has referred me to other properties in the wider area that have been extended, but I have determined this appeal on the basis of the circumstances pertaining to this case and the location of the existing bungalow as it relates to its setting and neighbours. For the reasons given, it is concluded that the proposal would be contrary to Policy QD14 of the Brighton & Hove Local Plan, which seeks to ensure that extension and alterations to buildings are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. It would also conflict with the general principles of the Council's Supplementary Planning Document (SPD): Design Guide for Extensions and Alterations (2013) that requires extensions to not dominate or detract from the original building or the character of an area.

Living conditions

6. The proposed works to the property would see the existing single storey building raised in height. From my observations at the site visit I could clearly appreciate this would lead to an overbearing effect on the outlook from No. 37 to the north, which is set at a lower level than No. 35, and a likely reduction in levels of light to that property due to its location to the north. The proximity of the appeal property to No. 33 to the south also means that the sizeable increase in height to No. 35 would be overbearing to the outlook from the rear garden of that property.
7. The extension shows windows to new bedrooms at the rear of the property. This would introduce a level of overlooking to the adjoining properties that does not exist, so leading to a material loss of privacy to existing residents adjoining either side, as well as to the rear of the appeal site at 14 Ashdown Avenue.
8. On the second issue it is concluded that the proposed development would be harmful to the living conditions of adjoining occupiers. This would be contrary to Policies QD14 and QD27 of the Local Plan, and the general principles of the SPD, which state planning permission will not be granted for development that causes loss of amenity to neighbouring properties.

Conclusions

9. I acknowledge the appellant's desire to improve the accommodation at the property in order to provide additional space, including to care for an elderly relative. However, I must balance these personal needs against other matters of acknowledged importance as set out in the adopted development plan. For the reasons given the proposed development would be harmful on the main issues, and the appeal is dismissed accordingly.

C J Leigh
INSPECTOR