

Appeal Decision

Site visit made on 15 August 2019

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2019

Appeal Ref: APP/Q1445/D/19/3227175

3 The Ridings, Ovingdean, Brighton, East Sussex BN2 7AE

- 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 & Mrs Alistair & Soumya Brindle against the decision of Brighton & Hove City Council.
 - The application, Ref. BH2018/03810, dated 10 December 2018, was refused by notice dated 21 March 2019.
 - The development proposed is single storey rear extension works; front extension porch alterations, and internal and external modifications to suit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposals on the character or appearance of the host dwelling and the streetscene of The Ridings and whether the character or appearance of the Ovingdean Conservation Area would be preserved or enhanced.

Reasons

3. The Council's Decision Notice includes separate reasons for the refusal of permission for the proposed rear and front extensions and I shall determine the appeal on the same basis. As the building lies within the Ovingdean Conservation Area, this also needs to be part of the main issue in this appeal, notwithstanding the somewhat surprising absence of any reference to it in the Decision Notice.
 4. The planning policy requirements in this case include proviso 'a' of Policy QD14 of the Brighton & Hove Local Plan. This requires extensions and alterations to existing buildings to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area. Proviso 'd' stipulates that materials should be sympathetic to the parent building. Policy HE6 includes requirements for the design and materials to be sympathetic to the conservation area.
 5. Turning firstly to the rear extension, the existing rear elevation is in part a feature gable with a mainly flint finish and decorative brickwork around its edges and the first floor windows and ground floor French window. The gable forms part of an L-shaped footprint together with, as viewed from the rear
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garden, the left hand side of the house under its ridge perpendicular to the gable.

6. The rear extension would be far more contemporary in form with extensive glazing in the form of bi-fold windows and doors; a stepped part mono-pitched and part flat roof; timber cladding and black glazed bricks. The use of these materials, together with zinc roofing and aluminium window frames is in marked contrast with the traditional design and materials of the host building.
7. However, I acknowledge that contemporary additions to a built form of more traditional design, albeit in this case a pastiche dwelling built in the 1980s, may in principle be appropriate, and this includes conservation areas and in some cases even listed buildings. I have also noted in this case the local historical references to the proposed materials. However, to be acceptable I consider that the scale of an extension and its design must also be appropriately subservient, and respectful of the positive characteristics of the host building.
8. In this instance the almost full width extension, and in particular the disjointed roof form with a larger mono-pitched element that cuts cross arbitrarily across the divide between the gable and other half of the elevation, to be too radical in terms of its effect on the building. To my mind the 3D image in the grounds of appeal illustrates very clearly how the large scale and the contemporary design combine to unduly dominate the character and appearance of the original dwelling.
9. I see no reason why with a fairly modest reduction in floorspace a more restrained scheme could not be produced that achieves a better balance between the achievement of high quality living space on the one hand and the need to give more weight to maintain the inherent qualities of the existing dwelling. Such a scheme could well retain an essentially contemporary appearance with at least some of the materials already proposed.
10. The grounds of appeal argue that the rearward siting of this extension, with it being hidden from public views, provides more scope for the innovative approach. This is always partly the case with rear extensions but provisos 'a' and 'd' of Policy QD14 referred to above, do in fact require extensions and alterations to relate satisfactorily to the host building. Moreover, because the property is within a conservation area, the statutory requirement for development to seek enhancement or at least preservation of its character and appearance applies to the private as well as public realm.
11. Turning briefly to the proposed front extension, the Council is right to be cautious because Nos. 2 and 3 are handed versions of the same design and their combined appearance makes a positive contribution to the street scene. However, it would be unreasonable for this to entirely preclude any frontward addition provided it is of a modest scale. The main failing with the scheme as submitted is the proposed garage door, which as the Council points out would be harmfully out of keeping with the unity of design and external materials in The Ridings development.
12. I have had regard to all other matters raised for the appellants but conclude that the appeal proposal would have a harmful effect on the character or appearance of the host dwelling and the streetscene of The Ridings. Nor would it preserve the character and appearance of the conservation area. As a result

there would be a conflict with the aforementioned Policies QD14 & HE6; Policies CP12 & CP15 of the Brighton & Hove City Plan Part 1, and Government policy in Sections 12: 'Achieving Well-Designed Places' and 16: 'Conserving and Enhancing the Historic Environment' respectively, of the National Planning Policy Framework 2019 ('the Framework').

13. With reference to paragraph 196 of the Framework, the harm caused to the significance of the conservation area as a designated heritage asset would be 'less than substantial'. However, this would not be outweighed by the very limited public benefit of the improvement in accommodation in just one dwelling in the housing stock of Brighton.
14. For the above reasons the appeal is dismissed.

Martin Andrews

INSPECTOR