
Appeal Decision

Site visit made on 16 September 2019

by M Harris BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2019

Appeal Ref: APP/Q1445/D/19/3233859

21 Edward Ave, Saltdean BN2 8QS

- 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 A Matthew against the decision of Brighton & Hove City Council.
 - The application Ref BH2019/00811, dated 11 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is conversion of existing bungalow into a two storey house with 2 storey extension, single storey extension & loft conversion.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted an amended plan (ref.10948-1a). This seeks to correct an oversight on the original planning drawings in respect of there being no detail of the position of windows serving the rooms in the roof space. This omission resulted in the second reason for refusal.
3. I have considered the issue and judge that the amended plan corrects a simple oversight and that accepting the plan would neither fundamentally alter the scheme or prejudice interested parties. I deal with the matter more fully below.

Main Issues

4. The main issues are the effect of the proposal on:
 - i. The character and appearance of the host property and wider street scene by reason of proximity to the northern boundary and the bulk of development; and
 - ii. The living conditions of future occupiers with regard to outlook and daylight.

Reasons

Character and appearance

5. The appeal site is located within a predominantly residential area, characterised by single storey bungalows sitting within plots of consistent size. Whilst some

properties appear to have alterations, in general terms a uniform pattern of development remains with the scale of dwellings consistent.

6. Edward Avenue runs across ground which rises from Saltdean Vale and as a result, the appeal site, being situated on the corner with Vale Road (which rises from west to east), is prominent in the street scene. The building presents elevations to both Edward Avenue and Vale Road.
7. The proposal seeks to extend the existing building to provide additional living space at ground floor and a bedroom, dressing room and bathroom at first floor within the roof space. The largest element of the works would be an extension to the northern elevation, fronting Vale Road.
8. The existing dwelling is modest in size, with similar proportions to others in the immediate environs. The largest element of the proposal is the extension on the northern elevation which would significantly increase the size of the dwelling and result in the building appearing as a much larger two storey dwelling from the west. This change would be out of character with the existing building, and the context of others surrounding it, and would represent an unsympathetic overdevelopment of the host building.
9. Turning to the wider street scene, in particular Vale Road, the works to the northern elevation would alter the existing pattern of development and introduce an incongruous feature. Notwithstanding the evidence indicating that the site is surrounded by fencing which limits views into the site, given the size of this elevation in the local context, coupled with the largely blank and featureless façade, the proposal would fail to respect the character and appearance of the street scene.
10. The evidence makes reference to the planning history of the site, providing an analysis of the relative differences. However, whilst I have some plans before me, albeit which show a different layout and pattern of fenestration, I do not have full details before me and in any event must make my decision on the facts of this current proposal.
11. For the reasons set out above, I find that the proposal would be harmful to the character and appearance of the host property and wider street scene by virtue of proximity to the northern boundary and the overall bulk of the building. This would be contrary to saved Policy QD14 of the Brighton & Hove Local Plan (2005) (the Local Plan) insofar as it seeks to ensure that development is designed with appropriate consideration of the existing property and character of the surrounding area.

Living conditions

12. The proposed extensions would facilitate the creation of a first floor providing habitable space within the roof area. This would take the form of a bedroom, bathroom and dressing room.
13. The plans submitted with the application failed to identify windows serving these rooms and consequently this resulted in a reason for refusal on the basis that future occupants would experience an unacceptable standard of accommodation in respect of outlook and daylight.

14. The evidence identifies that this was an error during the preparation of the plans and an updated plan has been submitted with the appeal which seeks to rectify the error by indicating where roof lights would be installed.
15. The clarification in respect of the windows does not fundamentally alter the scheme. Due to their size, position and on the western elevation being fixed closed, they are unlikely to result in any overlooking of neighbouring properties nor result in a loss of privacy to future occupants of the appeal proposal. As a result, the amendment plan would not be reasonably likely to lead to new objections nor prejudice interested parties.
16. For this reason, I do not consider that there would be harm to the living conditions of future occupiers with regard to outlook and daylight when considered in the context of the updated plan. There would therefore be no conflict with saved Policy QD27 of the Local Plan insofar as it seeks to protect occupiers from a loss of amenity, in this instance relating to outlook and daylight.

Conclusion

17. Whilst I have concluded that the proposal would not have a detrimental impact on the living conditions of future occupiers, this does not outweigh the harm which I have found in respect of the impacts on the character and appearance of the host property and wider street scene. Therefore, for the reasons set out in relation to that main issue, the appeal is dismissed.

M Harris

INSPECTOR