



Appeal Decision

Site Visit made on 12 November 2020

by C Jack BSc MA MA(TP) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2020

Appeal Ref: APP/Q1445/D/20/3256725

7 Tongdean Rise, Brighton, BN1 5JG

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 Ms Carolyn Owen-Powell against the decision of Brighton & Hove City Council.

The application Ref BH2020/00911, dated 25 March 2020, was refused by notice dated 12 June 2020.

The development proposed is two storey rear extension, additional loft bedrooms, enlarged single car garage and adjacent crossover.

Decision

1. The appeal is allowed and planning permission is granted for two storey rear extension, additional loft bedrooms, enlarged single car garage and adjacent crossover at 7 Tongdean Rise, Brighton, BN1 5JG in accordance with the terms of the application, Ref BH2020/00911, dated 25 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans.
 - 2) No development above slab level shall take place until details or samples of the materials to be used in the construction of the external surfaces of the extensions and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
 - 3) No access shall be taken from the second floor rooms to the flat roof area at any time other than for repair and maintenance purposes.

Preliminary Matters

2. I saw during my visit that elements of the overall remodelling have commenced, including the substantial removal of a former garage in front of the house, and the completed single storey front entrance and study extension which has a previous planning permission.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Tongdean Rise is a residential street comprising a variety of mainly detached homes, including some bungalows and some larger houses. While most appear

to date from around the mid-20th century onwards, there is no clear uniformity of style, scale, materials or design features, albeit there are threads of similarity including a predominance of traditional pitched roofs, and brick, tiles, and render are commonplace. Some flat roofs are evident in the street scene, most notably in relation to front garages rather than main roofs. It is evident that many properties nearby have been extended or altered to some degree, or remodelled, including the introduction of some more contemporary design features and fenestration among the more traditional built form and materials.

5. The proposed remodelling of No 7 would almost wholly transform its appearance, and I note that the Council has no significant objection to the design per se. The flat-roofed, boxy, and contemporary overall design would bear almost no resemblance to the current two-storey, pitched-roof house, apart from the retained flat roofed entrance and study extension. The striking change in appearance would make the building stand out in the street scene when compared to the house in its current unassuming form. However, despite the addition of a second floor and the associated increase in height, the overall scale and position of the remodelled house would be reflective of the current relationship of No 7 with the neighbouring houses either side and with the road in front. The gradual stepping down through Nos 6, 7 and 8 would continue, which responds to the topography of Tongdean Rise.
6. While the proposal would have a more contemporary appearance than most properties in the locality, and would be the only entirely flat roofed example nearby, the scale, form and design of the house would make sufficient reference to features and materials present locally such that it would tie-in with elements of the prevailing street scene. Moreover, due to local topography and the relatively narrow nature of the road with no houses on the opposite side to No 7, the remodelled house would be read principally in views along Tongdean Rise and thus mainly viewed partially and as being set amid a mixed street scene. As such, while its design would be notably different, the house would not be an unduly prominent feature.
7. Furthermore, as a comprehensive and holistic remodelling of the house, there would be no awkward jarring of materials and forms with the 'original' house. Subject to the details, the proposed combination of render, timber cladding and hand-made bricks would suit the contemporary design approach and would be generally reflective of materials present in Tongdean Rise and the wider locality, albeit there are only very limited existing examples of timber cladding. The proposal would therefore be consistent with the Council's design guide for extensions and alterations (SPD12, 2013), which among other things indicates that modern designs will be welcomed and that detached buildings in varied street scenes have the greatest capacity to accommodate contemporary extensions and alterations, provided such works are considered holistically. To my mind, this context applies in this appeal.
8. In light of the above, I conclude the proposed development would not harm the character and appearance of the area. There would be no conflict with retained Policy QD14 of the Brighton and Hove Local Plan 2005, which seeks among other things to ensure that extensions and alterations would be well designed, sited and detailed in relation to the host building and the surroundings, including the use of sympathetic materials. There would also be no conflict with the overarching urban design aims for the City set out in adopted Policy CP12 of the Brighton and Hove City Plan Part One 2016.

Other Matters

9. The Council's officer report finds the proposal to be generally acceptable in relation to the living conditions of adjacent properties, and I see no reason to reach a different view. However, the report identifies a concern with any potential use of the flat roof as a terrace due to the lack of a balustrade or screening. It is not clear whether access from the new second-floor accommodation to the flat roof for use as a terrace is intended. However, it may be achievable, and this would not be potentially harmful in terms the degree of privacy experienced at adjacent properties or the health and safety of occupiers of No 7. In the interests of certainty in both regards, and considering the requirements of Policy QD27 of the Local Plan, a condition could reasonably be imposed to restrict access to this area.

Conditions

10. Given some work has commenced, the standard commencement condition is not necessary. A plans condition is necessary in the interests of certainty. The Council requested a standard matching materials condition, but this is not entirely relevant given the proposed materials largely do not feature in the existing building. However, as suitable materials will be important to the successful appearance of the development as a whole, I have imposed a revised materials condition requiring details or samples to be agreed rather than to match. A condition restricting access to the flat roof from the new top floor accommodation is necessary for the reasons set out above.

Conclusion

11. For the reasons given, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR