

Appeal Decision

Site visit made on 23 February 2022

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

an Inspector appointed by the Secretary of State

Decision date: 2ND MARCH 2022

Appeal Ref: APP/Q1445/D/22/3290291

14 The Cliff, Brighton, East Sussex BN2 5RE

- 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 Mark Chinman against the decision of Brighton & Hove City Council.
 - The application, Ref. BH2021/02648, dated 19 July 2021 was refused by notice dated 22 December 2021.
 - The development proposed is the erection of lower ground, ground floor, first floor and second floor extensions in connection with the remodelling of the existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are (i) the effect of the proposed development on the character and appearance of the host dwelling and its surroundings, and (ii) the effect on the living conditions for adjoining occupiers as regards outlook and light. In my appraisal of the scheme, I have taken account of the amendments that were made in an attempt to make the proposal acceptable to the Council.

Reasons

3. On the first issue, I saw on my visit that the appeal dwelling is positioned in the street scene between two detached houses. No. 16 to the east is of traditional design and has a tudor style front gable offset from an attached single garage by a catslide roof. On the western flank is No. 12, which is a fairly recent replacement dwelling with a front hipped and noticeably asymmetric roof. In their own way, the siting and/or design of each house provides a perception of space around the building.
 4. I acknowledge that all the buildings on this side of the road are individualistic in their design and appearance. However, I consider that the introduction of a highly contemporary and strongly rectilinear built form across almost the whole width of the site would be likely to draw the eye as an unsympathetic and incongruous addition to the street scene. This harm would be exacerbated by the uncharacteristically high solid to void ratio of the front elevation.
 5. To the rear, the proposal with its four storey height and significantly increased bulk compared to the existing building would be unduly dominant both in relation to its neighbours and to the open public views from the south.
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I acknowledge that the (in part) cascading design is not without merit, but this would not disguise the excessive scale and bulk of the significantly altered and extended building in a sensitive location in terms of the impact on the character and appearance of the area. An aspiration to make the most of the seaward views is understandable, but this has to be balanced against the resulting visual impact in private and public views. The result in this case would be in conflict with Policy QD14 of the Brighton & Hove Local Plan (Retained Policies March 2016 ('the Local Plan')) and with Section 12: 'Achieving Well-Designed Places' of Government policy in the National Planning Policy Framework 2021 ('the Framework').

6. On the second issue, the submitted block plan shows that the appeal building already extends significantly further into its site compared to the depth of its neighbours. Given this siting, the proposed increase in bulk would result in an overbearing impact in the outlook from the adjoining houses and their gardens. And in the case of the dwelling at No. 16, the appeal property's position to the west would also result in an overshadowing effect, including on habitable rooms. The effect on daylight would be of less concern because of the dwelling's orientation due south. On this issue, I conclude that the appeal proposal would not comply with Local Plan Policy QD27 and paragraph 130e) of the Framework.
7. In summary, I find that on both issues the proposed development would be unacceptable and accordingly the appeal is dismissed.

Martin Andrews

INSPECTOR