



Appeal Decision

Site visit made on 30 June 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29TH July 2022

Appeal Ref: APP/Q1445/W/21/3289768

The Outlook, 2 Roedean Path, Brighton, BN2 5RP

- 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 Bennett against the decision of Brighton & Hove City Council.
 - The application Ref BH2021/02524, dated 8 July 2021, was refused by notice dated 8 November 2021.
 - The development proposed is the erection of two storey front and side extension, single storey rear extension, rear dormer and roof extensions/alterations with balcony and rooflights and revised fenestration with associated works to enable two flats to become one single dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I use the Council's description of development which is more precise than the application form; I note the Appellants also use this on the appeal form.
3. I am aware of Planning Permission Ref BH2021/04477 dated 7 March 2022 which is for the conversion of the 2no flats to a single dwelling (C3), along with the erection of a two storey side extension and single storey rear extension, alterations to fenestration and associated alterations. This is a very real fall-back situation and I shall not go over 'old ground' in this decision.

Main Issues

4. The main issues are the effect of the proposal on a) the character and appearance of the host property and the locality and b) living conditions for neighbours.

Reasons

Character and appearance

5. The appeal property is a substantial two storey end of terrace finished in white painted render with a pitched roof, gabled at the front. It has a flat
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roof projecting curved bay window, combined with a flat roofed section to both the side and the rear. A large sloping front garden and the main elevation face towards an extensive outlook seaward. Whilst not matching the generality of the terrace it is an attractive structure in an elevated prominent location within a locality of established good quality residential character and in an area of very pleasing appearance. The proposal is as described above.

6. The side extension would be sizeable and, in my opinion, stretch unduly and awkwardly forward to the detriment and disruption of the existing front elevation. The rear dormer would subsume virtually all of the rear pitched roof and would be an excessive and uncharacteristic box-like structure ill-at-ease on this elevation. The proposed large extent of glazing within the front roof area and the creation of an inappropriate balcony would be out of sync with the terrace, top-heavy on this property, and generally appear out of place and jarring on the eye as part of the roofline. Some of the other planned fenestration also concerns me, it would pay little regard to the existing arrangements and fails to take suitable cues from what is in place.
7. In summary, I find the proposed works to be a conglomeration of excessive, incongruous and disjointed alterations which would harm immediate and wider aesthetic qualities. The scheme would not represent good design.
8. Policies QD14 of the Brighton and Hove Local Plan (LP), CP12 of the City Plan Part One (CP1) and DM21 of the City Plan Part 2 (CP2) are relevant. Taken together and amongst other matters, these policies seek well designed and suitably scaled development that should protect the character and visual quality of buildings and the local distinctiveness of their wider area and generally have architectural merit. In all the circumstances I conclude that the appeal scheme would conflict with these planning policies.

Living conditions

9. There is appreciable and expected intervisibility between homes and neighbouring gardens along this stretch of development albeit one can imagine that most of the time attention is being paid more to sea views rather than down into gardens. However there comes a point when boundary proximity and relative height of any new large glazing and balcony arrangements, which would allow diagonal downward viewing, would make neighbours using adjoining gardens feel unduly exposed and uncomfortable. To my mind the breaking point would be exceeded by the substantial elevated appeal proposals. The scheme would allow for excessive overlooking.
10. Neighbours would be acutely aware of this prospect and would also find that just the existence of these works would be visually unfortunate and unsettling.
11. The proximate balcony would be of appreciable size and clearly would offer an attractive viewing and gathering place. While I am sure that on most occasions this family home's balcony would not degenerate into a raucous event, I do share some of the Council's concerns that noise and general

disturbance could readily at times impact upon living conditions for neighbours.

- 12.LP Saved Policy QD27, CP1 Policy CP12 and CP2 Policy DM20 are relevant. Taken together and amongst other matters they seek to protect the amenities of neighbours. Given the foregoing I would conclude that the appeal scheme would run contrary to these policies.

Other matters

- 13.I do understand the Appellants' wish increase accommodation and maximise the opportunities for views towards the sea. and I appreciate the benefits that this can bring. I can see that thought has been given to the use of materials and also to how this multi-generational home might work in practice. I looked at other examples of alterations and developments drawn to my attention but found none to be directly comparable in terms of scale, location or form and in any event I must assess the case before me on its own merits. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issues identified above.

- 14.I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

- 15.For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the host property and the locality as well as on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond
INSPECTOR