



Appeal Decision

Site visit made on 15 February 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 28th February 2024

Appeal Ref: APP/Q1445/D/24/3336527

49 Glebe Villas, Hove BN3 5SL

- 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 C Cottrell against the decision of Brighton & Hove City Council.
 - The application Ref: BH2023/00413 dated 9 February 2023, was refused by notice dated 8 November 2023.
 - The development proposed is first floor side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (Framework) was revised in December 2023, after the application had been determined by the Council. The Appellant has referred to the revised version of the Framework in the appeal submission and in the particular circumstances of this appeal, I do not therefore consider it necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the local area.

Reasons

4. The appeal property is a detached property on the east side of Glebe Villas and within a predominantly residential area. Glebe Villas contains a variety of both detached and semi-detached properties, mainly two storeys but also some single storey properties. The existing property also has accommodation in the roof space and has a single storey side extension on the northern side, set back from the front elevation.
5. The proposal would add a first-floor extension above the existing side extension under a hipped roof which would be set down from the ridge line of the main roof. Given its scale and set back, the extension would be a subservient addition to the existing house.
6. Although there are a small number of exceptions, there is generally a good level of spacing between the houses along Glebe Villas. This spacing is not uniform as it reflects a wide range of housing styles, but nonetheless the

- spacing that exists, together with the different designs of the properties, contributes to the predominant pattern of development along Glebe Villas.
7. There are some side extensions but like the existing side extension at the appeal property, these are mainly single storey and therefore do not interrupt the pattern of spacing between the individual or pairs of dwellings. One exception to this pattern is the adjoining property at No 51 which is built up over two floors to the shared boundary with the appeal property.
 8. Although the proposed first floor extension, which would sit above the existing ground floor extension, would be set back from the frontage, it would leave only a very narrow margin to the boundary and the flank wall of the adjoining property. The roof ridge would be set down from the roof ridge of the existing property as well as the neighbouring property, but the submitted plans and sketch views indicate that there would be little differentiation with the eaves line of the neighbouring property. As a result of the combined effect of these factors an appropriate spacing with the neighbouring property would not be retained. Whilst the views of the extension would be localised, in such views the very close juxtaposition with the neighbouring property, as a result of the proposal, would be clearly seen.
 9. The proposed first floor addition would result in a terracing effect. This would disrupt the predominant pattern of development within the street scene, particularly in respect of the spacing between properties, and would therefore harm the character and appearance of the local area.
 10. I therefore conclude that the proposed development would materially harm the character and appearance of the local area. This would conflict with Policy DM21 of the Brighton & Hove City Plan Part 2 and the Council's Supplementary Planning Document 12: Updated Design Guide for Extensions and Alterations (SPD12) as well as the Framework and in particular Section 12, all of which, amongst other matters, seek a high quality of design which respects the local context.
 11. The Appellant has pointed out that Policy DM21 does not specifically refer to avoiding a terracing effect, but the Policy is clear that proposed extensions and alterations should be *well designed and scaled, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area* (criterion a) and *take account of the existing character of the area* (criterion b). The proposal would in my view conflict with both these criteria.
 12. The Appellant has also contended compliance with the guidance under SPD12 in respect of side extensions, but the introduction to the guidance on such extensions specifically refers to spacing between buildings, including to minimise potential 'terracing' effect. One of the bullet points (No 7) refers to *appropriate set-in should be provided between the site boundary and the extension retaining a proportionate amount of space*. It is my conclusion that the proposal would not accord with that guidance.
 13. Both the Appellant and the Council have referred to a previous scheme under the Council's reference BH2012/03150 for a first floor side extension which was refused by the Council and dismissed at the appeal for similar reasons to the proposal now before me. However, neither that decision nor the scheme plans

have been provided to me and I am therefore unable to consider the extent to which that scheme was materially different from the proposal before me. However, I have noted that it was determined under an earlier development plan and furthermore, each proposal must be judged on its individual merits, which has been the basis of my determination in this case.

Conclusion

14. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR