



Appeal Decision

Site visit made on 8 April 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th April 2024

Appeal Ref: APP/Q1445/D/24/3338613

74 Valley Drive, Brighton, BN1 5FD

- 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 Nigel Gosden against the decision of Brighton and Hove City Council.
 - The application Ref BH2023/01439, dated 18 May 2023, was refused by notice dated 6 February 2024.
 - The development proposed is the erection of an additional storey to facilitate the conversion of an existing bungalow to a two-storey single dwelling house with flat roof and solar panels incorporating access bridge to the raised garden, replacement of garage doors and creation of first floor balcony with associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The banner heading above uses the description that was given by the Council on the decision notice. This is a more complete description of the proposal compared with that on the application form which read '*Conversion of an existing bungalow to a double storey single-family dwelling house incorporating an access bridge to the raised garden with internal alterations and associated works*'.

Main Issue

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

Reasons

4. The appeal property is a detached bungalow with a hipped roof located on the north side of Valley Drive, a pleasant, tree-lined residential suburb which slopes down west to east and comprises principally two-storey detached and semi-detached homes interspersed with some single-storey and chalet style properties. To the west, the appeal property adjoins a two-storey dwelling at No 76. The immediately succeeding row of properties to the east are single-storey with two-storey dwellings then becoming dominant again on this side of the road. The proposal would involve the creation of living accommodation at first-floor and a substantial remodel of the building's appearance.

5. The Council adopted their *Supplementary Planning Document 12 – Design Guide for Extensions and Alterations* (SPD) in June 2013. Its stated primary purpose is to provide detailed design guidance for extensions and alterations to residential buildings. As a general principle it advises that the original design of the building and its setting (including the general character of the street/area) should form the primary influence on the design of any extension or alteration. Specifically with regard to roof extensions it states that additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline, and general appearance of the street scene, including its topography.
6. There is a clear difference of opinion between the Council and the appellant over what is considered to be the prevailing character for the area. The Council describes the general street scene as properties fairly cohesive in style, with mainly red and brown tiled roofs and a mixture of brick and rendered elevations, some with extensions. The appellant describes the immediate area as comprising a wide mix of detached properties in traditional and contemporary house designs, roof forms and materials. These each give different impressions. Based on my own observations, the situation lies somewhere between both analyses.
7. The appellant depends upon the Council's *Urban Characterisation Study* (UCS) for the neighbourhood of Withdean (within which Valley Drive is located) which describes a mix of house styles for the area including 1930s Tudor-bethan and styles which hark back to Victorian designs together with resolutely modernist, rendered flat roofed houses. I do not dispute this as a fair description. However, the UCS's generic characterisation for Withdean as an area that features '*weak architectural cohesion*' does not reasonably describe the character of Valley Drive. On the contrary, the immediate area struck me as having a strong identity, based squarely upon a propensity for traditional house types with pitched roofs, with different buildings complementing each other. Where contemporary elements have been introduced, these comprised modern interpretations of traditional features. I saw no examples of resolutely modernist homes along Valley Drive. In this regard I share the Council's view that there is a degree of cohesion to the local architecture that imparts a strong sense of place.
8. The appeal proposal would significantly remodel the appearance of No 74 in an unashamedly contemporary way. Part of the appellant's rationale for introducing a flat roof over the new first-floor, creating a block form design in favour of the existing pitched roof form is an alleged '*awkward level change*' in the roofscape between the two-storey scale of No 76 and No 74. The design approach seeks to introduce a gradual step change between the neighbouring properties. However, it is not unusual for a two-storey dwelling to neighbour a bungalow and I saw nothing about the existing relationship between these two buildings that was inharmonious and in critical need of change, or which could not be supported in principle at an alternative position along Valley Drive.
9. The appellant accepts that the flat-roof design would contrast with neighbouring properties. Arguments put forward with the appeal suggest this would be mitigated by referencing key characteristics on the appeal property that are found in the wider street scene, notably contrasting treatments to ground and first-floors, and alignment between ground and first-floor windows. Any alignment between windows at ground and first-floor is in my view merely

good practice and is a neutral consideration that offers little by way of support for the design of the proposal. Where contrasting materials have been used on some properties in Valley Drive, it is commonly through the use of predominantly white painted render at first-floor, creating a lightweight appearance to the top half of the building in a traditional form. There is a degree of repetition and harmony in the area from this approach. In my opinion the use of dark coloured zinc cladding at No 74 would achieve the opposite effect. The building would appear uncharacteristically top-heavy. The materials, when combined with the block form of the building, would show little relationship with the prevailing local vernacular and pattern of built form that contributes positively to the area's character. In this regard the proposal would conflict with the aims and objectives of the SPD.

10. I do not dispute that, in isolation, the building would be well-designed and of sustainable construction. Furthermore, I accept that planning policies and guidance at both national and local levels seek to raise the standard of architecture and that a flexible approach to design considerations is encouraged. But I find nothing within the *National Design Guide*, the *National Model Design Code*, the *National Planning Policy Framework*, or the *Planning Practice Guidance* to imply that considerations of context and local distinctiveness should be set aside.
11. My impression overall is that the proposal would transform an inconspicuous, conventional styled dwelling that is comfortable in its setting into an overtly modern building with a stark presence that would contrast markedly with the distinctly traditional characteristics of the area. This would be detrimental to the established character and appearance the street scene. As such, there would be conflict with Policy CP12 of the Brighton and Hove City Plan Part One March 2016, and Policies DM18 and DM21 of the City Plan Part Two October 2022, as far as they require, amongst other things, new development to take account of and respect the existing character of the area. For the same reasons there would be conflict with the National Planning Policy Framework's objectives for achieving well-designed and beautiful places.
12. The appellant has directed me to development elsewhere in Brighton and Hove, including within Withdean, where flat-roof design has been developed. However, there is no contemporary architecture of this nature in Valley Drive. I acknowledge that there are circumstances where a contrasting architectural style can assimilate itself well, but I do not know the background or context to any of the cases that have been put to me, and in this instance, I am not satisfied that the proposal would successfully integrate into the surrounding area.
13. I have noted the appellant's arguments that alternative schemes could be built as permitted development which would be less favourable but no specific proposals have been tabled for me to make any meaningful judgement on this matter. A suggested alternative roof form by the Council's Urban Design Officer that was dismissed by the appellant as an option is not before me to consider as part of this appeal.

Other Matters

14. I have noted concerns from neighbouring occupiers relating to the potential impact upon living conditions. I concur with the Council's findings that there would be no significant increase to the mass or bulk of the building that would

be overbearing in relation to the adjoining properties. Given the positions of proposed windows, there would be no unacceptable impact upon existing levels of privacy in the outlook from No 74 (subject to appropriate conditions had I been minded allowing the appeal). Any potential views to neighbouring gardens from the proposed bridge access to the rear of the property would be mitigated by the proposed side louvred panels, which could equally have been controlled by condition. There is no substantive evidence to suggest that levels of light to either adjoining property would be materially impacted.

Conclusion

15. For the reasons given, I conclude that the proposal would be harmful to the character and appearance of the area. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR