



Appeal Decision

Site visit made on 25 June 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2024

Appeal Ref: APP/Q1445/D/24/3340510

3 Galliers Close, Brighton, BN1 8TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Charlie Nobbs against the decision of Brighton & Hove City Council.
 - The application Ref. is BH2023/03219.
 - The development proposed is first floor extension above existing ground floor.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of development as set out in the Application Form.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

4. The appeal site is located on Galliers Close a small cul-de-sac of largely pairs of semi-detached single storey bungalows with traditional pitched roofs, front projecting gables and flat roofed porches. The host property is paired with 2 Galliers Close (No.2). Due to the difference in site levels the host sits at a marginally higher level than No.2, with a higher ridge line. This feature is reflected on other pairs of semis within the Close but does not affect the overall appearance of the cul-de-sac as a tight knit grouping of properties whose roof forms and profiles remain relatively intact, a positive feature of the Close.
5. The appeal proposal involves alterations to the roof to include eight Velux windows to the side elevations and an extension to create a first floor with double doors and a Juliet balcony at the rear. It would effectively involve a first floor extension above the existing ground floor extension. I understand that the design was amended to replace the gable end on the front elevation with a hipped roof.
6. Based on my observations on site and the submitted evidence, I concur with the Council findings, namely that the increased bulk and height of the new roof extension would unbalance this pair of semis and disrupt the visual rhythm of this group of properties. Whilst I accept that the proposed extension would be

constructed from a similar pallet of materials to existing, it would extend high above the existing main ridge to the host property and would be visually prominent within the streetscene. That impact would be accentuated by the fact that the host property sits at a higher level to No.2 and to other properties in the Close. It would introduce a roof form that would be higher and bulkier than those which currently exist within the Close. As such, the proposal would be out of character with the built development within the cul-de-sac and out of proportion with the host property. Overall, the proposal would harmfully disrupt the existing rhythm of the roofscape to the host, its neighbour No.2 and the other properties in the Close.

7. Whilst I accept that the host property was extended on the ground floor in 2016, that extension is proportional and subservient to the host when viewed from the streetscene. The Appellant contends that the proposal would also be subservient, but I disagree and consider the ridge height and additional bulk of the extension to be excessive, resulting in an extension that is not sympathetic to the host or to surrounding properties and does not sit comfortably on the appeal site.
8. The Council have referred to policy CP12 of the Brighton & Hove City Plan Part 1 (March 2016) (BHLP1) and policies DM18 and DM21 of the Brighton & Hove City Plan Part 2 (October 2022) (BHLP2). These policies seek to ensure, amongst other matters, that new development is of a high quality of design, that it raises the standard of architecture and design in the City, for extensions that they are well designed, sited and scaled in relation to the host and adjoining properties, and takes account of existing character and materials.
9. The Council have also referred to its 'Design Guide for Extensions & Alterations' Supplementary Planning Document No.12 (January 2020) (SPD Guide). Part 4 'Detailed Guidance' includes a subsection on 'Roof Alterations'. This states that the rhythm and continuity of rooflines are often a key visible element of the streetscene and therefore that poorly designed or excessively bulky additions can have a significant harmful impact on the appearance of the host and the continuity of the streetscene. It continues by stating that roof alterations should ensure they do not unbalance pairs of semis and should reflect the character of the roof form on the host as well as roof forms in the surrounding area.
10. All of the above policies and guidance remain broadly consistent with those in the National Planning Policy Framework (December 2023) (Framework). They provide support for my findings that the additional bulk, height and form of the proposed roof extension would be harmful to the character and appearance of the host property, the pair of semis it forms part of and the local townscape of this group of properties.
11. I do accept that paragraph 135 c) of the Framework states that innovation or change should not be discouraged, an approach repeated in the National Design Guide (NDG) (January 2021) at paragraph 44, where it emphasises that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today. However, paragraph 135 of the Framework also states that new development should be visually attractive, function well and add to the overall quality of the area, be sympathetic to local character including the surrounding built environment and landscape setting, and establish or maintain

a strong sense of place. For the reasons outlined above, the appeal proposal would fail to comply with the overall requirements of paragraph 135.

12. I also acknowledge that the Framework and NDG promote, amongst other matters, the effective use of land and buildings, sustainable development and higher standards of accommodation. Even so, none of these considerations outweigh or mitigate for the significant harm I have found to the character and appearance of the host property and streetscene, and the resulting conflict with various development plan policies and local design guidance.
13. The Appellant contends that the SPD Guide should be applied flexibly and whilst I agree with that broad statement, this SPD is an adopted document and provides guidance in support of and in interpreting policy DM21 ('Extensions and alterations') of BHLP2. The SPD Guide should, therefore, be accorded considerable weight and as I have found the proposal conflicts with its guidance on 'Roof Alterations'. Moreover, paragraph 139 of the Framework states that development which is not well designed should be refused especially where it fails to reflect local design policies, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
14. The Appellant has also referred to the fact that there have been no objections to the proposal, but that does not in itself indicate that the proposal is in any way acceptable and neither does it negate the need for the proposed extension to be assessed on its merits having regard to the relevant development plan policies and local design guidance. Similarly, whilst I acknowledge and sympathise with the personal circumstances of the Appellant, in seeking a higher standard of accommodation for a growing family, those considerations do not affect the findings I have reached on this issue.
15. Accordingly, I find that the proposed extension would result in significant harm to the character and appearance of the host property and streetscene contrary to policy CP12 of BHLP1, policies DM18 and DM21 of BHLP2, the guidance in the SPD Guide and the corresponding policies of the Framework.

Conclusion

16. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR