



Appeal Decision

Site visit made on 2 April 2009

by **C J Leigh BSc(Hons) MPhil(Dist) MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
27 April 2009

Appeal Ref: APP/Q1445/A/08/2089539

12 Sussex Road, Hove, East Sussex, BN3 2WD

- 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 Ms K Stephen-Martin against the decision of Brighton & Hove City Council.
- The application Ref. BH2008/02579 was dated 18 August 2008 and was refused by notice dated 4 November 2008.
- The development proposed is a new first floor extension at the rear, alteration of windows to south elevation and extension of existing stair enclosure at 2nd floor level.

Preliminary matters

1. I have determined this appeal on the basis of the drawings refused permission by the Council and as set out on their decision notice, namely 08701/SI/001, 002 & 003, and 08701/PA/001, 002, 003 & 004.

Decision

2. I dismiss the appeal.

Reasons

3. The appeal property is a narrow house, standing at the end of a terrace close to the seafront. There are views both north and south along Sussex Road towards the house, and from Kings Esplanade to the south where the southern elevation of the property is particularly noticeable. In these views, No. 12 appears as part of the group of modest, relatively unaltered terraced houses, and the unassuming appearance of No. 12 and the wider group contributes positively to the character of the Cliftonville Conservation Area; I note that the grouping of similar houses is specifically identified in the Council's 1997 Character Statement for the Area, which has been adopted as Supplementary Planning Guidance (SPG).
4. The position and dimensions of the existing windows to the terrace form part of the consistency in this group character of the terrace. The submitted drawings show the windows in the south elevation being modified and enlarged in the ground, first and second floors. I share the Council's concerns that these modifications would, in this instance, be inappropriate for the property. The contemporary window treatment and their altered proportions would contrast markedly with the historic pattern of openings seen in the front elevation, and with the rest of the terrace. I think this would lead to an inappropriate jarring of styles on the same building, which would be readily evident in the wider area as an awkward treatment to the two elevations. Furthermore, it would upset the group value of the terrace due to a diminishment in its original quality. This

- would be harmful to the character and appearance of the Conservation Area and so conflict with Policies QD1, QD2, QD3, QD14 and HE6 of the Brighton & Hove Local Plan 2005 and the SPG.
5. The new rear extension would be erected above the existing two storey projection to the property. I saw at my site visit that the narrow width of the Sussex Road properties currently creates close juxtaposition between existing rear extensions. Although the proposed extension would replace an existing sloping roof, it would project further towards the properties to the north. In my judgement, the addition of this further storey to No. 12 would lead to a material loss of light to No. 13 to the north, which has windows in that rear elevation facing southwards towards No. 12. I further think the increase in height would be significant enough to create an unacceptably overbearing impact upon the outlook from No. 13.
 6. At my site visit I also saw that the properties to the east at Victoria Cottages have very small rear yards and windows facing No. 12, and I viewed the appeal site from the rear alleyway between Sussex Road and Victoria Cottages. In my judgement, the additional storey at No. 12 would lead to a material loss of light to the yard for 3 Victoria Cottages to the east, as well as an unacceptable increase in sense of enclosure to that property.
 7. The submitted drawings show that, on the northern elevation to the existing rear projection, a new bay window would be provided with Juliette balcony at first floor level. I acknowledge that there are currently windows on this elevation. However, these are small and have a high cill height. I think the proposed new full-height windows with balcony would represent a significant increase in the amount of glazing and openings to the room behind, which would consequently lead to a greater ease for occupants to look out of the property towards No. 13; the full-length windows with balcony would particularly allow this to happen. I note the concerns of the occupants of No. 13 that there would be a loss of privacy to their property. I agree that, despite the close proximity of Nos. 12 and 13, there is at present a relatively good degree of privacy to the rooms of those properties due to the placing and size of windows. Thus, in my judgement, the proposed changes to the windows at No. 12 would lead to a material loss of privacy to the occupants of No. 13.
 8. I therefore think the proposed rear extension, and alterations to the existing rear projection, would be harmful to the living conditions of adjoining occupiers through a loss of light, increase in sense of enclosure and loss of privacy. This would be contrary to Policies QD14 and QD27 of the Local Plan.
 9. The submitted 'existing' drawings show an existing rear terrace at roof (second floor) level to the property, accessed via sliding doors from a bedroom. The scheme before me shows an alteration in the size and design of the openings to the terrace, alterations to the enclosure to the terrace and an extension of the enclosed staircase up to the second floor. I consider the changes as shown on the drawings to be minor alterations to the property which, given the existing alterations at roof level, would have limited visual impact upon the wider area and sit comfortably within the appearance of No. 12 and the terrace.
 10. I saw at my site visit that certain other properties in Sussex Road have seen rear additions and alterations. I am not aware of the circumstances that led to these being built and, in certain instances, they demonstrate some of the

undesirable effects that I think would arise were I to allow this appeal. The existence of those other extensions therefore does not alter my findings that the scheme shown on the submitted drawings would conflict with the Local Plan. I also think my comments relating to the proposed alterations at second floor level do not outweigh such conflict. For the reasons given I have therefore dismissed this appeal.

C J Leigh
INSPECTOR

