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# Appeal Decision

Site visit made 29 October 2012

**by M A Champion BSc CEng FICE FIPStructE FCIHT FHKIE**

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

**Decision date: 1 November 2012**

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**Appeal Ref: APP/Q1445/D/12/2181990**

**4 Radinden Drive, Hove, BN3 6LB.**

- 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 and Mrs K Grierson against the decision of Brighton and Hove City Council.
  - The application ref: BH2012/01161, dated 3 April 2012, was refused by notice dated 1 June 2012.
  - The development proposed is the erection of pitched roof extension incorporating Juliet balcony at first floor level to front elevation and associated alterations.
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## Decision

1. The appeal is dismissed.

## Main issues

2. I consider that the main issues in this appeal are the effect of the proposed development on: first, the character and appearance of the existing building and surrounding area; and secondly, the living conditions of neighbouring residents with particular regard to overlooking and loss of privacy.

## Reasons

3. The appeal site lies in a residential area where Policies QD14 and QD27 of the Brighton and Hove Local Plan 2005 (LP) deal with extensions and alterations, and protection of amenity. These policies are supported by Supplementary Planning Guidance (SPG) BH1 *Roof Alterations*.
4. The adopted policies are generally consistent with the aims of the National Planning Policy Framework (NPPF), policies from which have also been considered, including the parties' comments where these have been made. The NPPF reinforces the local plan as the main consideration in planning decisions. It requires development not to undermine the quality of life, emphasising the importance of sustainable development, high quality design, attractive places and a good standard of amenity for residents. It expects developments to contribute to the overall quality of the area.

5. The site comprises a detached house and garden in a short cul-de-sac of similar properties to a variety of housing types and styles. The house is situated close to the rear of the site and has a very long front garden.
6. The proposed development would construct a first floor front extension (over the existing ground floor) with a Juliet balcony and associated roof alterations.
7. The proposed front extension would significantly raise the height of the existing single storey part of the house in this location, and result in a ridge some 1.5 metres above the existing roof ridge line. While the projecting gable end would reflect the existing feature on the single-storey, the proposal would introduce significantly increased mass at high level.
8. The design, form, proportions and scale of the proposal would be out of keeping with the existing building, changing its form from predominantly single storey with rooms in the roof to one that would be predominantly two-storey. The increased height and width of the front projection would be unduly dominant, detracting from the character and appearance of the building.
9. The appeal building is sited to the rear of the neighbouring property, No 2. At the time of my visit work was in progress on No 2, and the rear extension shown on the submitted plans had been demolished. No 4 was thus located entirely to the rear of No 2. In terms of design the proposal would fail to take account of the existing spatial quality of the area and its siting in relation to surrounding properties.
10. Having regard to this relative positioning, the proximity of the two dwellings, the location of the windows in No 2, as well as the size and height of the proposed development, I consider that the neighbouring residents would suffer unacceptable overlooking and loss of privacy from the proposed development, both to their windows and in their garden.

### **Conclusion**

11. I conclude, therefore, that the proposed development would adversely affect the character and appearance of the existing building and surrounding area, and also the living conditions of the residents of No 2 by way of overlooking and loss of privacy. It is contrary to the policies and guidance cited above.

*M A Champion*

INSPECTOR