



Appeal Decision

Site visit made on 26 March 2013

by H Lock BA (Hons) DipTP MRTPI

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

Decision date: 23 April 2013

Appeal Ref: APP/Q1445/A/12/2186924

93 Marine Drive, Rottingdean, Brighton, BN2 7GE

- 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 & Mrs Garry Morse against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/00856, dated 20 March 2012, was refused by notice dated 7 September 2012.
 - The development proposed is the demolition of existing dwelling, double garage and concrete swimming pool. Erection of replacement dwelling and triple garage/cycle store.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene and the surrounding area.

Reasons

3. The appeal site is prominently located in an elevated position above Marine Drive, overlooking the sea. The street scene contains a diverse mix of building styles, although the majority are of traditional design with pitched roofs. There are examples of contemporary buildings along the coastal road, but these are the exception. The existing dwelling is a detached two-storey house with loft room. Its height varies, with a lower annex to the main building and single storey elements. The dwelling sits between a three-storey block of flats and a single-storey dwelling with accommodation in its roof. The topography is such that despite the material difference in scale between the three buildings, their ridge heights are not markedly different, although the dwelling to be demolished is the highest.
 4. Despite the change in levels across the site, the proposed dwelling would appear evidently three-storey in wider views from Marine Drive, with a uniform height across much of the width of the site. Whilst Policy QD1 of the Brighton & Hove Local Plan 2005 (LP) encourages innovative and distinctive design, the scale and height of the proposed dwelling would appear excessive and unacceptably dominant in this prominent location. In contrast to the varied
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eaves and ridge heights of the existing and other dwellings in the vicinity, the proposal would maintain a uniform height. Although lower in height than the existing dwelling, the roof form would result in a dwelling of significant mass and bulk at the upper floors. The extensive glazing and recessed upper floors would in part reduce the solidity of the building, but this would not be sufficient to conceal its overall mass and size, and it would appear incongruous in the context of nearby buildings and the street scene. Any benefit created by a reduction in width of building on the site would be offset by the significant increase in volume.

5. Although the principle of three-storey development is accepted in the vicinity, due to the design and form of the building it would appear excessive for the site in the context of the other dwellings in the vicinity, and would be unacceptably intrusive at this prominent and highly visible site. This would conflict with the aims of LP Policy QD2, in that the proposal would not take account of the height, scale, bulk and design of existing buildings and the impact on the skyline. It would not represent an intensity of development appropriate to the locality and/or prevailing townscape, contrary to LP Policy QD3.
6. I have had regard to the sustainable location of the site and the sustainability merits of the proposed construction, but these would not outweigh the identified harm to the street scene, and would not justify a development of the scale and impact proposed.
7. I therefore conclude that the proposal would be harmful to the character and appearance of the street scene and the wider area, in conflict with LP Policies QD1, QD2, QD3 and QD5, which requires new development to present an interesting and attractive frontage. Although these policies predate the publication of the National Planning Policy Framework, they are broadly consistent with that document, and I therefore accord them appropriate weight.

Other Matters

8. Representations have been made regarding the impact of the proposal on light and outlook to neighbouring properties, and on highway safety. I reach the same conclusions as the Council, that the proposal would not give rise to a significant level of additional loss of light or overshadowing to adjoining properties.
9. I note that the highway authority raised no objections to the proposal. Given the existing access arrangements, and in the absence of any technical evidence to the contrary, I conclude that the proposal would not adversely affect highway safety.
10. I acknowledge that the appellant entered into pre-application discussions with the Council, but this does not address the identified harm in this case.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

Hilary Lock

INSPECTOR