



Appeal Decision

Site visit made on 23 April 2013

by R J Marshall LLB DipTP MRTPI

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

Decision date: 29 April 2013

Appeal Ref: APP/Q1445/D/13/2194895
19 North Gardens, Brighton, BN1 3LB

- 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 J Proctor against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03660 was refused by notice dated 11 January 2013.
 - The development proposed is external first floor extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the West Hill Conservation Area in which the site lies.

Reasons

3. The West Hill Conservation Area lies close to the centre of Brighton. It consists of mid-to-late 19th century housing of different types with more prestigious villas to the west and smaller terraced houses to the east.
4. The appeal site is in the eastern part of the Conservation Area. It is towards the northern end of a lengthy terrace of mid 19th century cottages that face onto North Gardens and back onto New Dorset Street.
5. The front elevations of the houses in the terrace, which face onto long front gardens, are attractively varied. Their rear elevations back closely onto New Dorset Street. The lie of the land means that they are set partially below the level of this road and they are also partially screened by tall boundary walls.
6. The opposite side of New Dorset Street is rather unattractive containing as it does the generally bland rear elevations of dwellings, a fairly extensive flat roof garage block and open car parking. However, the rear elevations of the houses in the terrace in which the appeal site lies are in pleasing contrast to this. They have an attractively varied roofscape of pitched roofs and rear extensions with a range of mono pitch roofs. This enhances the informal cottage style of the houses especially in the close vicinity of the appeal site.
7. The proposal is for a small flat roof extension at first floor level with its roof height level with the eaves of the main house. It would extend over an existing

- ground floor extension that covers the entire area to the rear of the house. With its flat roof the proposed extension, although rendered to match the existing house and retaining an existing window, would be a discordant and unattractive addition to the appeal premises. Added harm would be caused by the awkward way in which it would extend over the mono-pitch roof of the rear extension to the house. The attractive form of the rear elevation would be lost.
8. There are some rather unattractive flat roof extensions to other houses in the terrace in which the appeal site lies. However, they are reasonably distant from the appeal property and are not a good example to follow.
 9. The proposed extension would be screened from long and medium distance views along New Dorset Street by other rear extensions in the road. However, it would be sufficiently visible in more close-up views from this road to detract from the character and appearance of the area.
 10. The appellant has referred to some rather large flat roof extensions to the rear of properties in Trafalgar Lane as being examples of architecture in the area. However, this road is outside the West Hill Conservation Area and, moreover, these extensions detract from the character and appearance of the area in which they are located.
 11. It is concluded that the proposed development would detract from the character and appearance of the West Hill Conservation Area in which the appeal site lies. As such it would be contrary to the statutory requirement on the desirability of preserving or enhancing the character or appearance of such areas together with Policy HE6 of the Brighton and Hove Local Plan (2005) which reiterates this requirement and Policy QD14 which requires extensions to be well designed in relation to the property to be extended and the surrounding area.
 12. I appreciate that the appellant is seeking to provide an additional WC and bathroom. However, this does not outweigh the harm identified. References to the presumption in favour of sustainable development in the National Planning Policy Framework (the Framework) are noted. However, sustainable development requires, amongst other things, the protection of the historic environment which would not be achieved in this case.

Conclusion

13. For the reasons given above the appeal is dismissed.

RJ Marshall

INSPECTOR

