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# 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: 20 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2194013**  
**2 Glen Rise, Brighton, BN1 5LP**

- 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 M & K Sanders against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03614 was refused by notice dated 24 January 2013.
  - The development proposed is rear single storey extension.
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## Decision

1. The appeal is dismissed.

## Main issues

2. The main issues this appeal are: **first**, the effect of the proposed development on the character and appearance of the appeal premises and surrounding area; **second**, its effect on the living conditions of those at No. 144 Valley Drive with special reference to visual impact.

## Reasons

### *Character and appearance*

3. The appeal property is an attractive detached house with hipped roofs within a relatively low density suburban area. It has, and would continue to have even with the proposed extension, a large rear garden.
4. The house has been extended in the past and at the rear has a single storey kitchen extension with a pitched roof and adjoining that a conservatory. They are fairly modest extensions of a type often found on such properties and in my view they fit in entirely acceptably with the design of the main house.
5. It is intended to demolish the conservatory and in its place attach a far more substantial extension onto the kitchen. The new and existing extension would appear as one structure with 2 equal height pitched roofs with a flat roof in between. There would be a substantial increase in built form at the rear of the house. The new extension would extend much further into the rear garden than the present conservatory. The proposal would also result in there being a single storey extension across the full width of the house which is not the case at present.
6. I can see no objection to the detailed design of the extension per-se. Its hipped pitched roof, and proposed materials, would match that the main house and

the kitchen extension. It would have a reasonably balanced and symmetrical appearance. However, taken together the new and existing extension would comprise a single storey extension with a footprint not far off the size of the main house. The proposed single storey extension this large would be an incongruous addition that would detract from the attractive proportions of the existing house. The fact that adequate rear garden space would be retained would not lessen this harm.

7. The proposed extension would not be seen from public vantage points and would be well screened from the property to the north by a large hedgerow. However, it would be seen from the property to the south and detract from the character and appearance of the area from this viewpoint and the hedge to the north is not guaranteed to last in perpetuity. Moreover, arguments that there would be limited viewpoints of extensions beyond the appeal site are ones that if frequently used would cumulatively cause greater harm to the character and appearance of areas.
8. It is concluded that the proposed development would detract from the character and appearance of the appeal premises and surrounding area. As such it would be contrary to Policies QD2 and QD14 of the Brighton and Hove Local Plan (2005) which seek to prevent such harm.

### ***Neighbours' living conditions***

9. The Council's concern on the impact of the proposed development on the living conditions of those to the south at No. 144 Valley Drive is, correctly in my view, limited to concerns that it would be over-dominant and over-bearing.
10. No. 144 has a relatively small single story rear extension with windows in its rear elevation. The proposed extension would extend so considerably beyond the rear of the neighbours' extension, and be so much closer to the boundary than the existing extension, that the Council's concerns are justified. Adding weight to this view is the fact that No. 144 is at a lower ground level than the appellant's property. At present an approximately 2.0 metre high fence on the boundary, comprising a 1.8 metre high close board fence with a low trellis above, already restricts the outlook from No. 144. However, this does not justify the further harm that would arise from the proposed pitched roof extension with an eaves height of approximately 2.4 metres. An extension of the proposed length, height and proximity to the boundary would detract from the neighbours' living conditions.
11. It is concluded that that the proposed development would detract from the living conditions of those at No. 144 Valley Drive with special reference to visual impact. As such it would be contrary to Policies QD14 and QD27 of the Local Plan which seek to prevent such harm.

### ***Other matters***

12. The appellant has provided copies of plans for an extension at 6 Glen Rise which was allowed on appeal. However, it is not possible to discern from the plans any similarity with the current appeal to an extent that would lead me to have concluded differently on the above issues.

**Conclusion**

13. For the reasons above it is concluded that the appeal should be dismissed. I am of this view notwithstanding the absence of local objections. Moreover, harm on the first issue alone would justify my decision.

*R J Marshall*

INSPECTOR

