



Appeal Decision

Site visit made on 24 June 2013

by Jennifer Tempest BA(Hons) MA PGDip PGCert CertHE MRTPI IHBC

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

Decision date: 5 September 2013

Appeal Ref: APP/Q1445/A/13/2191115
255 Carden Avenue, Brighton BN1 8LN

- 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 A Collins against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01947, dated 26 June 2012, was refused by notice dated 3 September 2012.
 - The development proposed is demolition of part of existing house and erection of 1 no. one bedroom dwelling adjoining 255 Carden Avenue.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on the character and appearance of the street scene and on the living conditions of the occupiers of 255 Carden Avenue.

Reasons

Character and appearance

3. 255 Carden Avenue is set on the curve of Carden Avenue and on rising ground. The side elevation is therefore evident in views when travelling northwards along Carden Avenue. The pairs of semi-detached properties along the north and west side of Carden Avenue have a spacious character. There is a wide grassed verge between the houses and the road, in addition to which the houses have front gardens. The pavement runs between the gardens and the grassed verge. The loss of some front gardens to parking has altered the character of the properties in the area. However, the remaining front gardens make a positive contribution to the area.
4. The pairs of semi-detached houses have hipped roofs. A significant number of the pairs include as part of their original design a continuation of the roof slope as a mono pitch to the side of the house. I consider that the spaces between the pairs of houses combined with the simple but distinctive roof forms are significant in defining the character of the immediate area.
5. No 255 has a monopitch roof to the side. This element of the existing house would be demolished to provide the space to create the new dwelling. The other half of the pair of semis at No 257 has been altered and now links at ground floor level with the neighbouring property to the north. However, due to

- the relatively low height of the altered roof, this is not visually intrusive and there remains a sense of space between No 257 and the property to the north. No 253 has been extended in line with the original dwelling.
6. The proposal would extend from the side of No 255 reducing the gap between No 255 and No 253 and adding a relatively complicated roof structure. The proposed building would have ridge lines running both parallel and at 90 degrees to the main ridge line of No 255. I accept that the proposal has been designed to appear as an extension to the existing property, rather than as a separate dwelling. This includes the lower ridge heights and the position of the main entrance. However, I consider that the narrowing width of the site and the accommodation required for an independent dwelling have contributed to the complex roof form proposed.
 7. The new building would appear as a discordant feature both in the context of the immediately neighbouring properties and in the wider street scene. It would be in marked contrast to the strong, simple but distinctive form of the roofs of the existing pairs of semi detached houses. The position of the site is such that the development would be clearly visible from Carden Avenue.
 8. The rear of the proposed new dwelling includes a dormer window which would be offset from the centre of the hipped gable within which it would be positioned. Whilst not ideal, this would not be sufficiently harmful in itself to warrant rejection of the scheme. However, I note that the first floor fenestration to the front elevation would have a horizontal emphasis which would not reflect the window pattern of the existing houses.
 9. Whilst the proposed building would be prominent, the division of the plot into two separate properties would not be immediately evident. However, the proposal would increase the hard-surfaced area in front of the proposed dwelling to provide parking. Although the Council has not objected to the proposal in highway terms, I consider that the addition of another house will add to the demand for off street parking and will lead to more cars parking in front of No 255 and the proposed dwelling. Despite the proposed retention of the boundary fence, this adds to my concerns about the adverse impact of the proposal on the appearance of the street scene.
 10. The form of the building, particularly in the views from south, would appear incongruous in this prominent location. As such it would result in unacceptable harm to the street scene. This would be contrary to Policy QD2(a) and (c) of the Brighton & Hove Local Plan 2005 (the Local Plan) as it would not emphasise and enhance the positive qualities of the local environment. Nor would it take into account local characteristics including the design of existing buildings in the area. It would also fail to comply with Policy QD1 of the Local Plan as it would not make a positive contribution to the visual quality of the environment. Policy QD14 is not directly relevant to the proposal as the proposed building is for a new dwelling, not an extension to an existing dwelling.

Living conditions

11. The proposed development would project 2.1 metres beyond the rear of No 255. One ground floor and one first floor window in the rear wall of No 255 would be close to the projecting two storey building. There would be reduced daylight to these windows as a consequence of the proposal. However, the affected windows are relatively small and both rooms have other sources of

natural light. The kitchen has a large pair of glazed doors leading out into the rear garden. The first floor bedroom has a second, larger window and the scheme proposes a roof light would be added to increase the light to the bedroom. I do not consider that there would be an unacceptable loss of daylight, or unacceptable harm to the outlook for the occupiers of No 255 as a consequence of the development. With regard to sunlight there would be some reduction to part of the patio of No 255 but the majority of the remaining rear garden would be unaffected.

12. I do not consider that the impact on the living conditions of the occupiers of No 255 would be sufficiently harmful to reject the proposal on these grounds. Therefore, in these respects the proposal would not conflict with policy QD27 of the Local Plan which seeks to protect the amenities of existing residents.

Conclusion

13. I acknowledge the benefits of providing a small house which could be suitable for first time buyers or for rent. However, these benefits are not sufficient to outweigh my concerns with regard to the harm the development would cause to the character and appearance of the street scene. For the reasons given above, I conclude that the appeal should be dismissed.

Jennifer Tempest

INSPECTOR

