



Appeal Decision

Site visit made on 17 September 2013

by Ms T L Dow BA, Dip TP, Dip UD, MRTPI

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

Decision date: 26 September 2013

Appeal Ref: APP/Q1445/D/13/2203490

9 Kenmure Avenue, Patcham, Brighton, East Sussex, BN1 8SH

- 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 Mrs Patricia Janes against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/01756, dated 24 May 2013, was refused by notice dated 22 July 2013.
 - The development proposed is the erection of a single storey rear/side extension.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Brighton and Hove City Council Local Development Framework, Supplementary Planning Document 12, *design guide for extensions and alterations* (SPDBH12), was adopted in June 2013. Although this was before the Council's decision to refuse planning permission, the officer report refers to SPGBH1 which the SPD replaced. The appellant has been given the opportunity to comment on the new document and I have had regard to it in reaching my decision.

Main Issue

3. The main issue in this case is the effect of the extension on the character and appearance of the host building and the area.

Reasons

4. Kenmure Avenue is on a hill which slopes downwards in a roughly north-south direction. It is an area of bungalows, many of which have been extended to create rooms in the roof or additions to the rear. Quite a number of the properties have also infilled the original small recess between the side and rear of the dwellings. The appeal property is a semi-detached bungalow. The dwelling adjoining it, No. 11, is on higher ground than the appeal property. Number 7, which is on the opposite side of a shared driveway with the appeal dwelling, is at a lower level. Both No. 7 and No.11 have been extended at the rear. The appeal property also has an extension on the rear which would be replaced.
 5. The existing dwelling is relatively small scale in terms of its depth. The depth of the proposed extension, just in excess of 4 metres, would appear bulky and
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out of proportion with that of the existing dwelling. Given that it also extends across the whole of the width of the property, it would dominate the rear and side elevations. Although the change in ground level does result in a variable roofscape the extension, when viewed against the existing dwelling, would still appear excessively large and out of proportion with the scale of the existing property.

6. Even though the dwelling is set back from the road, the side elevation would still be seen in views from the street. Although these views would be limited, the excessive bulk and depth of the extension in relation to the existing dwelling, would be apparent. Its depth would also be greater than both adjacent extensions and deeper than others that are evident in the local area. Its size and bulk would have a detrimental effect on the character and appearance of the area. I agree with the Council that the design of the extension would be more harmonious if the articulation of the side and the rear elevations was improved, however, the infilling of the small recess and its impact on the street scene would not, of itself, be sufficient reason to dismiss the appeal.
7. I conclude that the extension would harm the character and appearance of the host building and the area and that it would conflict with Policy QD14 of the Brighton and Hove Local Plan, 2005. This policy, amongst other things, seeks to ensure that extensions are well designed and detailed in relation to the host property and the surrounding area. I have also had regard to the Council's SPDBH12 in reaching this view.

Other matters

8. The Council also refused permission on the basis that the plans submitted with the application were not considered to accurately show the size and relationship of the proposal to the existing dwelling, pointing out that the plans show a difference in the height of the proposed extension between the west and south elevations, of approximately 0.2 metre. The Council gave the appellant the opportunity to correct the plans during the processing of the application but the appellant has stated that the heights and levels are accurate. Although it appears that the ground level on the plan of the south elevation is not shown accurately, it was not possible for me to be certain of this from the site inspection. As the difference in the height is relatively small, I have been able to assess the overall impact of the proposal and reach a conclusion on the substantive issue. Nonetheless, it is not clear whether the development could have been built in accordance with the approved plans had I been minded to allow the appeal.
9. Finally, I have noted the appellant's comments that there are no objections regarding the impact of the proposal on the living conditions of the occupants of adjacent properties and that many dwellings locally have been extended. However these points do not affect my overall conclusion.

Conclusion

10. For the reasons set out above I conclude the appeal should be dismissed.

T L Dow

INSPECTOR