



Appeal Decision

Site visit made on 19 August 2013

by Catherine Hughes BA (Hons) MRUP MRTPI

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

Decision date: 9 October 2013

Appeal Ref: APP/Q1445/D/13/2200327

97 Freshfield Road, Brighton BN2 0BL

- 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 N W Crisp against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/00577, dated 18 February 2013, was refused by notice dated 18 April 2013.
 - The development proposed is a second storey back extension with internal alterations to kitchen and bathroom.
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Decision

1. The appeal is dismissed insofar as it relates to the alteration to the roof of the rear outrigger to create additional habitable space.
2. The appeal is allowed insofar as it relates to the replacement of the existing basement window with a door and steps down to the front elevation and planning permission is granted for the replacement of the existing basement window with a door and steps down to the front elevation at 97 Freshfield Road, Brighton BN2 0BL in accordance with the terms of the application, Ref BH2013/00577, dated 18 February 2013 so far as relevant to that part of the development hereby permitted and the following condition:
 - 1) The door and steps to the front basement elevation hereby permitted shall be built in accordance with Drawing Nos. 12 and 14 insofar as the plans relate to this part of the development.

Procedural matters

3. The description of the development was changed by the Council to 'alteration to roof of rear outrigger to create additional habitable space. Replacement of existing basement window with door to front elevation'. The application plans also show new steps down to the basement. I have therefore added "and steps down". to the second sentence of this revised description of the development and based my decision on that, as this more accurately describes the appeal proposal.
 4. The works to the front elevation do not form part of the Council's Decision Notice, and the Council has raised no objection to this aspect of the proposed
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works. However, as it forms part of the appeal before me I have addressed it in this decision. At the time of my site visit this work had commenced. This aspect of the proposals is therefore partly retrospective and I have dealt with this on this basis.

Main Issue

5. The main issue in this appeal is the impact of the proposed alterations on the character and appearance of the host property, the adjoining dwelling, No. 99 Freshfield Road, and the wider area.

Reasons

Alterations to the roof of rear outrigger

6. No. 97 is part of a long terrace of two storey Victorian residential properties on the west side of Freshfield Road. Despite alterations and the addition of dormer windows to many properties including No. 97, the terrace retains an attractive regularity of design and appearance in the streetscene.
7. The dwellings along the terrace have two storey projections at the rear, referred to as 'outriggers' by the Council. These rear projections were constructed with pitched roofs paired with adjoining properties, and reinforce the attractive rhythm of the terrace when viewed from the rear gardens.
8. The rear projection of No. 97 adjoins a matching one at No. 99 with which it shares a pitched roof. The proposed development would replace the pitched roof of the rear projection of No. 97 with a flat roof at the height of the existing ridge, in order to create another bedroom.
9. Notwithstanding the existing flat roofed dormer window in the north-eastern roof slope of the pitched roof of the rear projection of No. 99, the proposed flat roof would fundamentally unbalance the symmetry of this pair of rear extensions.
10. The appellant has drawn attention to existing alterations to the rear projections in the vicinity of the appeal site. In particular, to No. 95 immediately next door and to Nos. 83, 85 and 105 Freshfield Road. With regard to the very prominent flat roof rear extension to No. 95 immediately adjacent to the appeal site, the bulk and massing of this extension is entirely out of keeping with the rest of the terrace such that it is disruptive and at odds with the prevailing character and appearance. The flat roofs to the rear of Nos. 83 and 85 are paired and so, although their rooflines disrupt the rhythm, they do not unbalance the shared rear projections as would be the case with the proposed development. No. 105 retains the original pitched roof to its rear projection.
11. I accept that there are a number of flat roofed alterations to rear projections within sight of the appeal site. However, these conflict with the prevailing character of the terrace. Furthermore, the Council has stated that there are no planning records for most of these extensions, which in any event predate current policies and the Local Plan. At my site visit I found that, despite such alterations, the original rhythm of the pitched roofs on the rear projections of this lengthy terrace dominates its character and appearance when viewed from rear gardens.

12. While the proposed alterations would not be visible in the streetscene the extension to provide accommodation at second floor level in the rear element of the dwelling would be visible from adjacent gardens and from properties in East Drive to the rear.

13. For these reasons I conclude that the proposed alteration to the roof of the rear outrigger to create additional habitable space at No. 97 Freshfield Road would be harmful to the appearance of the host property, the adjacent property and the wider area. It would thus be contrary to Saved Policy QD14 of the Brighton and Hove Local Plan 2005 which requires alterations to dwellings to be well designed in relation to adjoining properties.

New door and steps to front elevation

14. In their report the Council has raised no objections to the replacement of the existing basement window with a door to the front elevation, noting that a number of similar alterations have been made along this terrace and that the works would be set substantially below ground level. The Council has also raised no objections to the formation of steps to the basement. From my site visit I similarly find these features to be appropriate alterations to the property.

Conclusion

15. For the above reasons and having regard to all other matters raised, the appeal is dismissed insofar as it relates to the alteration to the roof of the rear outrigger to create additional habitable space. The appeal is allowed insofar as it relates to the replacement of the existing basement window with a door and steps down to front elevation.

Conditions

16. As work to replace the front window and install the front steps to the basement has started I have not applied the standard time condition. As they were not complete at the time of my visit I have applied the condition that the works, insofar as the plans relate to this part of the development, should be carried out in accordance with the approved plans.

Catherine Hughes

INSPECTOR

