



Appeal Decision

Site visit made on 21 October 2013

by M Brookes BA MSc MRTPI

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

Decision date: 28 October 2013

Appeal Ref: APP/Q1445/A/13/2198219

17 Albany Villas, Hove, East Sussex, BN3 2RS

- 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 John Scales against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03720 was refused by notice dated 27 February 2013.
 - The development proposed is a rear extension to basement and ground floor level.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the development on the character and appearance of the building and of the Cliftonville Conservation Area.

Reasons

3. The appeal property was constructed as one of a number of substantial, late Victorian semi-detached villas with stuccoed walls in Albany Villas. The villas are of a variety of compatible styles with many shared features, including a general formality and symmetry to their elevations. These features make a significant contribution to the character and appearance of Albany Villas and of the Cliftonville Conservation Area.
4. Although the appeal property now has a large and unsympathetic side extension which adjoins 19 Albany Villas, the symmetry and architectural details of the original front elevations of the pair of houses at 15 and 17 Albany Villas largely remain.
5. The symmetrical form of the original rear elevations is more clearly defined because the extension is well recessed from the main rear walls. These main walls have central projecting bay windows at ground and basement level and are on each side of a recessed shared higher tower. On the boundary line of this shared tower is a projecting wall which runs down from main eaves level and at a lower level projects increasingly from the rear wall as it sweeps down in a curve to a pillar. On the appeal site, this party wall adjoins a small balcony and steps leading down to the garden from the ground floor and projects beyond the furthest part of the building. A separate set of steps leads down from the rear garden to the basement.

6. Alterations to the rear elevation of 15 Albany Villas, including the insertion of new windows and a small bay widow, have disrupted the unity and symmetry of detail of the pair of villas, but have not materially affected the unity and symmetry of its distinctive original form.
7. The proposed development includes an extension at ground floor and basement level over and beneath the existing balcony and a further projection at basement level as far as the party wall pillar.
8. The extension would be to part of the main rear wall of the appeal property and to the whole of the lower part of its recessed tower wall. It would therefore disrupt the symmetry and distinctive form of the rear walls of the original pair of villas. It would also extend close to and beyond the two-storey bay, which is centrally located between flanking sections of plain stuccoed walling and contributes to an attractive and symmetrical section of the rear elevation. The setting of the bay and the symmetry of that section of wall would be significantly harmed. Furthermore, the extension would immediately adjoin and would project above the curved section of the boundary wall. The distinctive form of the wall, which is an attractive feature, would be largely lost as a consequence.
9. All of these consequences of the development would be harmful to the character and appearance of the building. The extended building would also be out of keeping with the adjacent pair of houses at 19 and 21 Albany Villas, which retain the form and detail of their original rear elevations and have a curved boundary wall that is not encroached upon by later development.
10. Although there is substantial landscaping at the end of the rear garden and the proposed extension would not be visible in the street scene, it would be readily visible from other properties, including those at 15, 19 and 21 Albany Villas and would therefore also be harmful to the character and appearance of the Cliftonville Conservation Area.
11. The development would not therefore preserve or enhance the character or appearance of the conservation area. It would not represent a high standard of design that reflects building forms and would not be well sited in relation to the existing building. Consequently, it would conflict with saved Policies HE6 and QD14 of the Brighton and Hove Local Plan 2005. Although the harm to the significance of the conservation area would be less than substantial, the benefit of increased accommodation in the basement and ground floor flats does not constitute a public benefit that outweighs the harm that the development would cause. The development would therefore also conflict with the National Planning Policy Framework.

Conclusion

12. For the reasons set out above and having regard to all other matters raised I conclude that the appeal should be dismissed.

M Brookes

INSPECTOR