
Appeal Decision

Site visit made on 14 October 2013

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 3 December 2013

Appeal Ref: APP/Q1445/A/13/2197927
17 Springfield Road, Brighton BN1 6DB

- 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 Alfred Haagman, Lincoln Holland Holdings Ltd, against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03434, dated 26 October 2012, was refused by notice dated 26 March 2013.
 - The development proposed is the reconfiguration of existing flats and maisonette and the erection of a four storey side/rear extension to form 4no. one-bed flats and 3no. two-bed flats (4no. additional units in total).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form gives the name of the applicant as Mr Alfred Haggman. However, at my site visit, I was able to confirm with his agent that the correct spelling is Haagman.

Main Issues

3. The main issues are the effect of the proposed development upon the living conditions of neighbouring occupiers, particularly those at numbers 15 and 19 Springfield Road; and the character and appearance of the host building and wider area.

Reasons

4. The appeal property is a semi-detached house on the north side of Springfield Road. It is of four storeys, with a raised ground floor level and a semi-basement level. It is presently subdivided into two flats and a maisonette.

Living Conditions

5. The evidence indicates that the proposed development has the potential to affect three properties: number 15 Springfield Road, the adjoining property to the west; number 19 Springfield Road, a subdivided detached property to the east; and number 1 Beaconsfield Parade, which backs onto the garden of the appeal property to the north east.

6. Number 15 Springfield Road has a large side and rear extension which is similar in scale and design to the appeal proposal. The two extensions together would effectively make a recess of the main rear elevation of the building and the sense of enclosure at the rear of number 15 (and indeed the appeal property itself) would increase as a result. This would be apparent from the main elevation bay windows and from the garden area adjacent to the property. However, given the large size of the building, and of the garden area to number 15 (albeit it is used largely for parking), the recessed area would remain relatively open and the outlook from the bay windows would not be unduly compromised. For these reasons, the effect of the proposed development would not be excessively overbearing upon the occupiers of number 15 Springfield Road.
7. Similarly, the Daylight Assessment undertaken by the appellant, dated March 2012, has concluded that the rear windows of this property would remain adequately lit. Given that number 15 is oriented to the south-west of the appeal property, I am satisfied that this would be the case.
8. Number 19 Springfield Road is a three storey property (including the basement) converted into several flats. It occupies a relatively small plot for the size of the building, being closely bounded to the rear by number 1 Beaconsfield Parade, which has a small garden filled with mature trees. The rear garden of number 19 is similarly small and already quite enclosed, but it is well maintained and appears to be well used. The proposed extension would be close to the boundary and the present gap between the properties through which the garden receives light would be substantially reduced. Given that the extension would be almost as deep as the garden and be four storeys tall, the existing sense of enclosure experienced in the garden would be considerably increased to the detriment of its use.
9. The enclosing effect of the proposed extension would also be apparent from the windows in the north-facing rear elevation of number 19; and from the west-facing windows in the ground floor rear extension and main side elevation at second floor level. These west-facing windows would face the extension directly. The evidence is not completely clear about which rooms the various windows serve, but from the information available, which includes third party representations, it seems that most serve kitchens or bedrooms. Both are rooms that occupiers may wish to spend time in and it is therefore reasonable to expect that both will provide an acceptable living environment. The combination of the close proximity, height and depth of the proposed extension would be overbearing when viewed from these windows and the outlook from the west-facing windows in particular would be negatively affected to an unreasonable degree.
10. Furthermore, the Daylight Assessment referred to above indicates that the basement and ground floor windows of number 19, particularly the west facing windows on the ground floor extension, would experience a reduction in daylight that was noticeable. The latter would also experience a reduction in sunlight below recommended levels. While the assessment attributes some of the reduction in available light to obstructions within the site itself, I consider that the proposed extension would be a significant contributing factor. This reduction in light, combined with the enclosing and overbearing effects I have identified above, would have an unduly detrimental effect upon the living conditions of occupiers at number 19 Springfield Road. I appreciate that the

extension has been designed with an angled corner to diminish this effect, and I recognise that the Daylight Assessment assumed a deeper square corner. However, I am not persuaded that this design feature is a sufficient concession to overcome the harm that I have found.

11. I have also considered the effect of the proposed extension on living conditions at number 1 Beaconsfield Parade. In this case the mature trees within the garden are so dense and so close to the property that any additional harm resulting from the proposed extension would be minimal. Nonetheless, given the effect upon the occupiers of number 19 Springfield Road, the proposed development would be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005, which requires that extensions to existing buildings should not result in significant loss of outlook, daylight, sunlight or amenity to neighbouring properties; and to Policy QD27 of the same Plan, which states that planning permission will not be granted if the development would cause loss of amenity to adjacent occupiers.

Character and Appearance

12. The appeal property is a large and attractive building and is thus important in the street scene of Springfield Road and in the views available to neighbouring occupiers. In terms of the street scene, the proposed extension would be set well back from the front of the property, which is itself set back behind a reasonably deep front garden. The extension would appear subservient to the main dwelling and, indeed, would be difficult to see except when standing in the immediate vicinity of the property or just to the east. It is unfortunate that the extension would narrow the visual gap between the appeal property and number 19, but such gaps are not particularly characteristic of the street scene and no significant harm would be caused to the wider area. However, as discussed above, I am concerned about the effect of narrowing the gap upon conditions in the rear garden of number 19.
13. I agree with the Council that the proposed extension would be of no particular benefit in terms of restoring symmetry with number 15, but given the degree to which the extension to that property is set back, the symmetry of the main elevations is not unduly affected. I also appreciate that the Council considers certain existing extensions in Springfield Road to be visually harmful, but for the reasons I have given, I do not consider that the appeal proposal would be unduly harmful to the character and appearance of Springfield Road. Similarly, the detailing on the proposed extension has been designed to complement that of the main building, and the appellant has responded to pre-application advice from the Council in order to make the extension appear subservient in the street scene. When viewed from the front, the extension would not be harmful to the character and appearance of the host dwelling.
14. However, given the scale of the proposed extension, it would be highly visible from the neighbouring properties at the rear of the site. From here, the angled corner, with a traditional and therefore overhanging roof, would appear as an awkward feature. I recognise that this design is intended to reduce the impact on the living conditions of neighbouring occupiers, but for the reasons given above, I am not satisfied that it would be successful. As such, the feature would simply appear incongruous and the effect would be magnified by the large size of the extension. It would be harmful to the character and appearance of this attractive building and thus it would also be harmful to the

character and appearance of the wider area, albeit it from a small number of private vantage points. This would be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005, which requires extensions to be well designed and sited in relation to the property to be extended, adjoining properties and the surrounding area.

Other Matters

15. It is clear from the evidence that the appellant has engaged in pre-application correspondence with the Council in seeking to resolve a number of issues. I have considered the information submitted in respect of matters including the standard of accommodation to be provided; compliance with the Lifetime Homes Standards and the Code for Sustainable Homes; the archaeological potential of the site; the treatment of the rear communal garden; and the provision of cycle parking facilities. I find no reason to disagree with the Council that, where necessary, an appropriate outcome could be secured by conditions. While third party representations have raised concerns about the parking situation in Springfield Road, I appreciate that the appellant has removed parking from the proposal in order to retain the rear garden and overcome a previous highway-related objection. However, my view in relation to these matters does not outweigh the harm that I have found in respect of living conditions and character and appearance.
16. In reaching my conclusions, I have had regard to the National Planning Policy Framework, particularly paragraph 14 on sustainable development, and Section 6 on delivering a wide choice of high quality homes. While the proposal would deliver additional housing of mixed size, the harm it would cause would outweigh the benefit in this regard.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR