
Appeal Decision

Site visit made on 16 December 2013

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 23 January 2014

Appeal Ref: APP/Q1445/A/13/2205843
1A and 1B, 2 Lancaster Road, Brighton BN1 5DG

- 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 Dr Gillian Jones against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00998, dated 23 May 2013, was refused by notice dated 30 July 2013.
 - The development proposed is a single storey rear extension and the installation of bifold doors and windows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development from the planning application form. However, I recognise that the proposed plan includes the relocation of a window from the side elevation to the rear elevation of the existing single storey extension to the adjoining flat, number 1A, and I have taken account of this in reaching my decision.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the existing property and surrounding houses; on the living conditions of the neighbouring occupiers at number 64A Old Shoreham Road; and on the living conditions of the occupiers of the flat to be extended.

Reasons

Character and Appearance

4. 2 Lancaster Road is an attractive three storey detached house which has been subdivided into flats. Flats 1A and 1B occupy the ground floor. There is a two-storey extension with a pitched roof to the rear which the Council states to be original to the building and a small single storey extension with a pitched roof across the back of Flat 1A, which projects beyond the original extension for approximately half its width. I do not consider that the conversion of the building into flats has harmed the character and appearance of the exterior.

5. The proposed extension to Flat 1B would adjoin and project substantially beyond the single storey addition to Flat 1A and would occupy the remaining width of the building up to the boundary with the Vicarage at 64A Old Shoreham Road. Its depth would be such that it would enclose much of this boundary with the neighbouring property. It would not, however, adjoin the main rear elevation of the appeal property itself which is recessed, and an 'inner courtyard' would therefore be created between the extension and the existing building.
6. The flat roof of the proposed extension would be out of keeping with the existing pitched roof additions to the building and while a section of pitched roof is proposed adjacent to the extension to Flat 1A, this would not overcome its incongruous appearance. The location of the extension towards one side of the building would also relate poorly to the other existing elements which form a more central projection. Whilst the extension would leave a reasonably sized garden for the property, it would nonetheless be large and the garden environment and rear elevation of the building would be dominated by its discordant design. The proposed inner courtyard arrangement would contribute to this effect without substantially adding to the amount of useable living space.
7. Turning to the surrounding houses, the proposed extension would be seen in the context of the properties on Stanford Road which back onto the appeal site; the adjacent semi-detached house on Lancaster Road; and the Vicarage at 64A Old Shoreham Road. All of these are attractive buildings and while the adjacent house on Stanford Road has a two-storey, flat-roofed extension to the rear, this relates well to the host property in terms of its scale. The presence of other similar extensions along the row also provides a consistent context for the design. The deep two-storey projection to the rear of the adjacent house on Lancaster Road similarly relates well to the main part of the building in terms of its scale and pitched roof design.
8. The south side elevation of the appeal property is built right up to the boundary with the rear garden of 64A Old Shoreham Road and beyond the inner courtyard, the wall of the proposed extension would adjoin and be taller than the garden wall. On account of its height and depth along the shared boundary, the extension would be a bulky addition in close proximity to the attractive Vicarage. It would also be highly visible from the garden of the adjacent church from where it would have a similarly cumbersome appearance.
9. For these reasons, I consider that the proposed development would cause significant harm to the character and appearance of the existing property and to the setting of surrounding houses. I recognise that there have been no objections to the proposal and that the present occupants of the other flats in the appeal property have expressed their support for it, as has the neighbour at 64A Old Shoreham Road.
10. However, when balanced against the enduring harm that would be caused to the building and its surroundings, this does not outweigh my findings. I therefore conclude that the proposal would be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005 (Local Plan) which, amongst other things, requires extensions to be well designed and sited relative to the host building and to surrounding properties.

Living Conditions

11. The Council is concerned about the effect of the proposed extension on the living conditions experienced at 64A Old Shoreham Road. However, while the extension would occupy much of the length of the joint boundary, it would not be so close to the property itself as to be overbearing and any impact on sunlight reaching the garden would be minimal due to the orientation of the buildings. Therefore, I do not consider that its impact on living conditions would be significant.
12. I note that the occupier of the adjoining flat in the appeal property, No 1A, has expressed support for the extension and has agreed to move the bathroom window that would be blocked by it. The Council is satisfied that the impact of the extension on the relocated window would not be so significant as to warrant the dismissal of the appeal and I concur.
13. The Council has, however, expressed concern about the effect of the proposed extension and inner courtyard on the occupiers of the appeal flat itself, No 1B. Whilst the development could result in the existing bedroom becoming darker, I consider that the benefit provided by the additional accommodation would outweigh this effect and that, on balance, the proposal would improve the living conditions of the present residents.
14. I therefore conclude that the proposed development would not conflict with Policy QD14 or QD27 of the Local Plan in terms of their aim to protect the amenities of existing and adjacent residents. However, this does not outweigh my conclusions in respect of character and appearance.

Other Matters

15. In reaching my decision, I have taken account of the comments provided by the Brighton and Hove Archaeological Society in respect of the potential archaeological sensitivity of the area. Accordingly, the Council has taken advice from the County Archaeologist who does not consider that any remains are likely to be affected by the proposal. This matter does not, therefore, affect my findings in relation to the main issues of the appeal.

Conclusion

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

Louise Phillips

INSPECTOR