



## Appeal Decision

Site visit made on 17 June 2014

by **D Cramond** BSc MRTPI

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

Decision date: 30 June 2014

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### Appeal Ref: APP/Q1445/A/14/2216719

### 35 Providence Place, Brighton, BN1 4GE

- 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 Yasser Abbas (Atlas Property (Europe) Ltd) against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/03099, dated 9 September 2013, was refused by notice dated 13 January 2014.
  - The development proposed is an extension to the rear elevation flat roof to accommodate a new first floor.
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### Decision

1. The appeal is allowed and planning permission is granted for an extension to the rear elevation flat roof to accommodate a new first floor at 35 Providence Place, Brighton, BN1 4GE in accordance with the terms of the application, Ref BH2013/03099, dated 9 September 2013.

### Procedural Matter

2. The works have been undertaken; this does not alter the way in which I assess the case.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

### Reasons

4. The appeal property is a two storey terraced commercial building. It is within a mixed area predominantly commercial in character, albeit with some residential flats. The locality includes a considerable range of building styles, ages and sizes which come together to form a neighbourhood of broadly utilitarian functional appearance. The proposal is as described above, when fitted out would provide enlarged storage or light industrial space, and has increased the previous shallow mono-pitch roofed rear projection by about 1.4 metres in height.
5. The Council is mainly concerned that the roof extension is of excessive height as it rises above the eaves level of the main building giving what is considered to be an awkward relationship. This, the Council argues, is compounded by the use of corrugated cladding in juxtaposition to the more traditional roofing material. I can readily appreciate that in general terms this is not the most

frequently taken approach to extending a building. However I can also see that to gain the desired ceiling heights the design options, without radical and costly change to the building as a whole, would be limited. I could see that the wider area has developed in a rather ad hoc fashion over the years and that there were some very varied types and sizes of rear buildings. The proposal lies to my mind comfortably 'mid height' between development to either side. The material is both suitably subdued and matches that used previously below. The nature of the extension being full width means that the eaves have been removed - I would be more concerned if an awkward part were remaining - and so the profile of the whole of the rear of the building has been changed. The end result is not something which is out of place, the building itself is acceptable in design terms and the new scheme sits comfortably within the character of the area.

6. The appeal development can only be glimpsed in part from one narrow public realm vantage point and it is certainly not jarring on the eye. Similarly it should not visually offend people looking out of nearby flats or businesses. The premises as extended are neat and functional and well suited to their surrounds.
7. Saved Policy QD14 of the Brighton & Hove Local Plan (LP) calls for, amongst other matters, development to be well designed to protect local distinctiveness and respect the character of local buildings and the streetscene. I conclude that the appeal scheme would not run contrary to these objectives.

#### *Conditions*

8. I note that the Planning Officer's report refers to the prospect of providing secure cycle parking were the scheme to be allowed, albeit there is recognition that no new visitors cycling trips will be generated. There is no firm indication that staff numbers would increase but in any event cycle parking could be arranged within the commercial ground floor of the premises, there is no exterior curtilage, and I think it reasonable in the circumstances to leave this to the site operator to implement. No other conditions are suggested by the Council and in the light of this being a retrospective proposal none would be applicable in my opinion.

#### *Overall conclusion*

9. For the reasons given above I conclude that the appeal proposal would not have an unacceptable adverse effect on the character and appearance of the host property or the locality. Accordingly the appeal is allowed.

*D Cramond*

INSPECTOR