



Appeal Decision

Site visit made on 21 November 2014

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 28 November 2014

Appeal Ref: APP/Q1445/D/14/2227151

48 Redhill Drive, Brighton, East Sussex, BN1 5FL.

- 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 Sunnis International (UK) Ltd against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/01950, dated 18 June 2014, was refused by notice dated 13 August 2014.
 - The development proposed is a three storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - a) the effect of the proposed development on the architectural integrity of the host building and its impact upon the visual amenities of neighbouring properties; and,
 - b) the effect of the proposed development on the living conditions of the neighbouring residential occupiers in respect of its potential, by reason of its height, level of projection and siting, to appear overbearing and result in a loss of outlook.

Reasons

First main issue

3. The property, the subject of this appeal, 48 Redhill Drive, is a detached two-storey dwelling located in a sub-urban residential area. Due to the fall of the land front to back, a semi-basement area has been formed to the rear. As a result of the building's plain brick façade, semi-basement arrangement and regimented fenestration pattern, the rear elevation is somewhat utilitarian in appearance.
 4. The appellant proposes a 4.0 metre deep three-storey rear extension, the formation of accommodation within the proposed and existing roof voids, together with the insertion of a new window in the east elevation and the
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construction of a raised terrace. The rear extension would be full width at lower ground and ground floor levels. At first floor level it would be reduced in width, by about 3.0 metres, stepping away from the boundary to number 46 and creating a small flat roofed area. That part of the rear addition extending above first floor level would have a hipped roof that would maintain existing ridge and hip lines of the main roof. A uniform pattern of narrow folding doors with Juliet balconies at the lower levels with matching windows at first floor level is proposed.

5. Due to the building's elevated position and the dramatic fall of the ground to the rear, this property like its neighbours would appear prominent when seen across the valley. Accordingly, any extension to the rear would serve to make the dwelling more visually prominent and thereby the inevitable increase in the building's perceived height. However, in this case the extension's visual prominence would be significantly enhanced by a number of key design features. These include the introduction of a full height lower ground floor level; the rear addition being designed to extend flank wall to flank wall without any inset; the proposed roof being designed to have the same ridge height as the main roof; and the uniform adoption of narrow folding doors at both lower and ground floor level and the reflection of their proportions in the first floor windows. In addition, the general lack of modulation or visual relief in the design of the rear elevation, and the proposed construction of the new terrace in brick, would give the completed building even greater perceived height.
6. Accordingly, the rear addition would appear as a visually bulky addition that would, in my judgement, detract from the architectural integrity of the host building. It would in turn impact on the visual amenity of the occupiers of the neighbouring properties, in particular number 50, due to the side walls of the addition being a projection of the line of the existing walls without any set back or modulation, and the proposed roof height being the same as the existing main roof.
7. I conclude in respect of the first main issue that due to the scale, bulk, height and design of the proposed addition, it would appear to be an overly dominant addition that would cause significant harm to the architectural integrity of the the host building and thereby impact upon the visual amenities of neighbouring properties. It would therefore not accord with the objectives of Policy QD14 of the Brighton and Hove Local Plan (2005) (LP) and the Council's Local Development Framework Supplementary Planning Document spd 12: *Design Guide for Extensions and Alterations* adopted June 2013 (SPD 12) as they relate to, amongst other things, the quality of design.

Second main issue

8. The neighbouring dwelling to the west, number 46 Redhill Drive, is of a very similar design to number 48. However, it is set further forward towards the road and therefore does not project as far to the rear as the appeal property. The separation distance between the two dwellings is about 2.0 metres or so and from what I saw on site the floor levels are very similar one dwelling to another.
9. The Council considers that the proposed addition would not impact on levels of daylight or sunlight currently enjoyed by the occupiers of number 46. From

what I have seen and read I would not disagree. However, despite the set back of the addition at first floor level, the Council does believe that the proposed ground floor extension would nevertheless impact on the outlook from number 46 as it would cut a 45-degree line drawn from the centre of the nearest ground floor window of number 46.

10. Having regard to the topography of the site and the levels of the neighbouring properties, the proposed extension would, at ground floor level, in this context appear as only a single storey addition. Furthermore, to my mind, the views from numbers 46 and 48 would principally be in a southerly direction down the garden across the valley. Accordingly, in my opinion, although the 45-degree line would be cut, as illustrated on the drawings, I do not consider that the proposed extension would be an un-neighbourly addition that would appear either overbearing or impact in any significant way on outlook.
11. I therefore conclude in respect of the second main issue that the proposed addition, by reason of its height, level of projection and siting, would not appear either so overbearing or result in such a significant loss of outlook as to cause harm to neighbouring living conditions. In this respect the proposal would accord with the aims of LP Policies QD14 and QD27 and SPD 12.

Conclusions

12. I have concluded that the proposed development would not harm the living conditions of neighbouring residential occupiers. However, I consider that this factor is outweighed by the unacceptable harm that would ensue to the architectural integrity of the host building and thereby its impact upon the visual amenities of neighbouring properties. To my mind, these are compelling objections. I have considered all other matters raised, but none change my overall conclusion, reached on the planning merits of the proposal, that the appeal should not succeed.

Philip Willmer

INSPECTOR

