
Appeal Decision

Site visit made on 14 April 2015

by **R J Marshall LLB DipTP MRTPI**

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

Decision date: 27/04/2015

Appeal Ref: APP/Q1445/A/14/2228184

84, Bexhill Road, Woodingdean, East Sussex BN2 6QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jamie Spencer against Brighton & Hove City Council.
 - The application Ref BH2014/02107, is dated 19 June 2014.
 - The development proposed is front and rear 2 storey extensions.
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Decision

1. The appeal is dismissed.

Background

2. The Council resolved that had it been in time to determine the application it would have refused permission on the grounds of harm to the character and appearance of the dwelling and the street scene and harmful impact on neighbouring properties.

Main Issues

3. In light of the above, and from what I have read and seen, the main issues in this appeal are: **first**, the effect of the proposed development on the character and appearance of the surrounding area; and **second**, its effect on the living conditions of the 2 adjoining neighbours at Nos. 82 and 86 Bexhill Road with special reference to visual impact.

Reasons

Character and appearance

4. The appeal site is a mid terrace property lying to the south of Bexhill Road. On the same side of the road are a number of similar terraces, all looking onto open downland. There are 2 elements to the proposed development. A 2 storey front extension with a hipped roof and a full width rear extension in the form of a catslide roof incorporating a dormer window.
5. The front elevations of the terraces along Bexhill Road in the vicinity of the site have been altered by the addition of many single storey front extensions, including one allowed on appeal APP/Q1445/D/09/2110650. However, given that the terraces are set down somewhat below the level of the road and behind reasonably sized front gardens these do not impact unduly on the street

scene. It is the upper floors and roofs that are the most prominent element viewed from the roadside and here there is a notable uniformity in appearance, notwithstanding some slight differences in the extent to which the ridge lines of individual houses are set back or set down. A key design feature is the existence at one end of the terrace of a property with a forward facing gable and the absence of first floor front extensions to any of the other houses in the terrace. In this context the proposed 2 storey front extension would appear incongruous and out of keeping.

6. Turning to the proposed rear extension the appellant says that it would provide depth and interest to a one dimensional rear elevation. However, a combination of its full width across the plot, the degree of rearward extension, and the catslide roof form containing a large dormer would make it appear overlarge in relation to the modest proportions of the appeal property and neighbouring houses. Thus the scale of the extension would be harmful and to the detriment of the character and appearance of the area. In arriving at this view I have had regard to the appellant's observation on a rear extension nearby at No. 9 Marden Close. However, that decision was made many years ago and I do not have the planning background behind it. The existence of this extension does not alter the views I have expressed above.
7. It is concluded that the proposed development would be harmful to the character and appearance of the surrounding area. As such it would conflict with Policy QD14 of the Brighton and Hove Local Plan (2005) in so far that it seeks to prevent such harm.

Neighbours living conditions

8. The side elevation of the proposed front extension would almost abut the side boundary of No. 82 Bexhill Road. Given this, and its substantial degree of forward projection, the front extension would appear intrusive and over-dominant when seen from the neighbouring property. This would especially be the case given that No. 82 is set back slightly from the appeal property and is at a slightly lower level.
9. The proposed rear extension would almost abut the boundary of the 2 neighbouring houses, Nos 82 and 86 Bexhill Road. Given this, and its degree of rearward projection and height, the proposed extension would appear intrusive and over-dominant when seen from these neighbouring properties. For similar reasons I have given on the first issue my view on this is not altered by the existence of the extension at No. 9 Marden Close.
10. The harm identified above relates to the visual impact of the proposal on the neighbours, as opposed to loss of light on which no substantial evidence has been provided. However, the harm on visual impact alone would be substantial.
11. It is concluded that the proposed development would be harmful to the living conditions of the 2 adjoining neighbours at Nos. 82 and 86 Bexhill Road with special reference to visual impact. As such it would conflict with Policies QD14 and QD27 of the Brighton and Hove Local Plan (2005) in so far that they seek to prevent such harm.

Conclusion

12. For the reasons given above it is concluded that the appeal should be dismissed. Whilst I appreciate the appellant's desire to extend the property to accommodate an expanding family this does not outweigh the harm identified.

R J Marshall

INSPECTOR

