
Appeal Decision

Site visit made on 13 October 2014

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 21 October 2014

Appeal Ref: APP/Q1445/D/14/2225163
65 Surrenden Road, Brighton BN1 6PQ

- 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 & Mrs P Fassam against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01875, dated 6 June 2014, was refused by notice dated 13 August 2014.
 - The development proposed is ground and lower ground floor flat roofed extension to rear of property.
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Decision

1. I allow the appeal and grant planning permission for ground and lower ground floor flat roofed extension to rear of property at 65 Surrenden Road, Brighton BN1 6PQ in accordance with the terms of the application, Ref BH2014/01875, dated 6 June 2014, subject to conditions 1) to 4) on the attached schedule.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the Surrenden Road area of Brighton.
 - The effect of the proposal on the living conditions of neighbouring residential occupiers with particular regard to visual impact and outlook.

Reasons

Character and Appearance

3. Policy QD14 of the Local Plan states that planning permission for extensions or alterations to existing buildings will only be granted if the proposed development is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area; takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and uses materials sympathetic to the parent building. Supplementary Planning Document 12 '*Design Guide for Extensions and Alterations*' shows a substantially glazed rear extension as an acceptable solution, albeit in reference to depth, and states as a general principle that modern designs using contemporary and sustainable materials will be generally

welcomed and the Council would not wish to restrict creative designs where they can be integrated successfully into their context.

4. The proposed extension would be entirely to the rear of the dwelling and due to the fall in the land and the spacing of the buildings in this part of the road, there would be no adverse impact on the street scene such that the terracing concern of Policy QD14 is not relevant in this case. There would be long distance views from the back, but subject to consideration of the materials and glazing, the addition would not upset the character and appearance of those areas to the rear, and the existence of the extensions at number 63 add to the view that in principle, the size of extension is acceptable in its effect with regard to this main issue.
5. The Council are mainly concerned over the effect of the glazing and what is described on the drawings and in the Council Report as being a lead parapet fascia. There is no internal cross section, but the depth of the ground floor (as opposed to the lower ground floor) glazing scales approximately 2.7m and may be taken as being floor-to-ceiling, and the lead fascia scales a further 1.0m. Within that depth has to be accommodated the ceiling; the structural support such as joists; insulation, which in a flat roof is best placed above rather than between the joists, as a warm roof construction, avoiding the need for ventilation and reducing the risk of condensation; the waterproof roof membrane; and an up-stand to control the run of water and avoid seepage under the lead, typically 150mm at the highest point. 1.0m does not appear to be over-deep for all of this, and visually this provides a strong perimeter to the top of the building. With the host building having so many and such varied roof pitches, the simple detailing of the lead provides a suitable unifying element that does not confuse the roofscape further.
6. Turning to the glazing, the additions next door at number 63 have substantial areas of glazing, although there is also masonry and framing. The appeal proposal would be almost all glazing of some sort on its rear facing elevation, but this would not appear out of place in the limited views available and whilst the long distance views from across the valley may be changed by the addition of this amount of glazing and possibly lighting and reflections, that cannot be described as being harmful in the wider context of those views. In conclusion, the design of the extension is markedly different to that of the host building, but this is acceptable in the context of the varied, already extended, property such that the aims of Policy QD14 and the Supplementary Planning Document are accorded with.

Living Conditions

7. The concern is with regard to the proximity, height and design of the extension as perceived from the neighbouring dwelling at number 67. Policy QD27 states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. The roof leadwork that has been found acceptable in the first main issue would feature in the outlook from the neighbouring property and would not appear obtrusive even in the closer views possible. The bulk of the revised layout shown on drawing 1170/13/P/02B would not be as deep at the higher level, and the deeper lower level would be mainly below the height of the boundary treatment. Within the wide ranging

views of the adjoining property, being set similar to the appeal dwelling, high above the garden and the surrounding land, the proposed addition would not have the effect that Policy QD27 seeks to avoid, and would be acceptable for that reason.

Conditions

8. The Council had completed the Appeal Questionnaire to the effect that the standard time condition was required, and this is agreed with now, and that materials should match the existing house, with no other conditions mentioned. The Application Form however has been completed to indicate that some aspects of the materials would not match the existing house, and given the different architectural treatment that has been found appropriate in this Decision, such an approach is acceptable also. For certainty and control, a condition should be attached that requires details to be submitted and approved. There is mention of changes to the design to remove a high level terrace and substitute a Juliet balcony, but it is not clear what it look like. Also, a condition to remove the right to use the new flat roof as a terrace would be reasonable to protect the living conditions of the neighbours on both sides. Lastly a condition is required naming the drawing for the avoidance of doubt and the proper planning of the area.

Conclusions

9. The extension is acceptable in principle and the adoption of a modern design that does not follow that of the extensively modified dwelling would be appropriate in this location. The use of lead as a fascia and the relationship with the neighbouring properties would not cause harm. With the conditions as referred to, and for the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted, including details of the Juliet balcony, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1170/13/P/01A and 02B.
- 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from Local Planning Authority.