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## Appeal Decision

Site visit made on 24 October 2017

by **N A Holdsworth MCD MRTPI**

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

Decision date: 14<sup>th</sup> November 2017

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**Appeal Ref: APP/Q1445/D/17/3180917**

**28 Orchard Avenue, Hove, BN3 7BL**

- 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 Shaun Ryan against the decision of Brighton & Hove City Council.
  - The application Ref BH2017/00183, dated 18 January 2017, was refused by notice dated 26 May 2017.
  - The development proposed is side first floor extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The effect of the development on the character and appearance of the area.

### Reasons

3. Whilst it is located on Orchard Avenue, due to its corner plot the existing building also occupies a prominent position in views from the east and west along Orchard Road, to the immediate north of the site. I observed that the properties along the south side of Orchard Road have a fairly consistent building line, being set back a similar distance from the road. This is apparent even though the buildings to the east are located at angles to the road, in comparison to the more regular building line exhibited by the buildings to the west of the site. The consistency of the building line along Orchard Road contributes to a spacious character, which is apparent at the junction on which the existing building is located.
4. When viewed from Orchard Road the existing side extension attached to the host building is located forward of this building line. However, its height is limited to one storey and it is largely screened by a boundary fence. As such, it has not led to any significant loss of visual openness around this junction.
5. By contrast, because of its additional height and bulk, the proposed first floor side and roof extension would be of much greater prominence in views along Orchard Road. It would protrude noticeably forward of the neighbouring properties to the immediate west at first floor and roof level. In views from the east the building would also extend forward beyond both the frontages of the buildings to the east of the appeal site facing Orchard Road, and the side

elevation of the property immediately opposite the appeal building facing Orchard Avenue.

6. Consequently the development would result in a significant loss of visual openness around the junction on which it sits, and would appear out of place within the wider street-scene. Because of its siting and bulk I consider that the extended building would comprise an unduly prominent feature in views along Orchard Road, and would visually dominate the buildings that surround it.
7. I therefore conclude that the siting and bulk of the extension would lead to harm to the character and appearance of the area. It conflicts with saved policy QD14 of the Brighton and Hove Local Plan (adopted 2005) which requires that extensions to residential properties must be well sited in relation to the surrounding area, taking account of the existing space around buildings. It would fail to improve the character and quality of an area and the way it functions, and would also conflict with the requirements of chapter 7 of the National Planning Policy Framework.

#### *Other Matters*

8. The bulk of the building would be stepped back from the front elevation and its roof. In doing so, it would comply with the parts of the Council's Supplementary Planning Document 12: "*Design guide for extensions and alterations*" (2013) that advise that extensions should be subservient and stepped back from the host building. I also noticed that there were other similar two storey extensions attached to semi-detached dwellings along Orchard Road with a similar appearance to the proposed development, including numbers 15 and 16. As such, I do not agree with the Council's view that the extensions would be out of proportion with the host dwelling and semi-detached pair. However, on this occasion I have found that the siting and bulk of the extension are unacceptable given its location on this corner plot, and its effect on views along Orchard Road. So while I consider that the extension would respect the character and appearance of the host dwelling, the lack of harm in this regard does not outweigh my findings in relation to my main issue.
9. The proposal would maximise the potential of the corner plot and make efficient and effective use of space at the side of the property. It would also provide a rationalised layout improving the quality and appeal of the living accommodation for occupants of no.28, without detracting from the original character of the host building. Energy saving measures could also be incorporated in to the extended building, and locally sourced materials could be used. However, the matters weighing in favour of the scheme do not outweigh the harm and policy conflict I have identified in relation to the character and appearance of the area.

#### *Conclusion*

10. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

*Neil Holdsworth*

INSPECTOR