



Appeal Decision

Site visit made on 5 June 2018

by Lynne Evans BA MA MRTPI MRICS

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

Decision date: 22 June 2018

Appeal Ref: APP/Q1445/D/18/3197497
2 Downs Valley Road, Brighton BN2 6RP

- 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 Statham against the decision of Brighton & Hove City Council.
 - The application Ref: BH2017/03601 dated 24 October 2017, was refused by notice dated 2 February 2018.
 - The development proposed is garage extension and awning.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing property and of the local area, and
 - b) The effect of the proposal on the living conditions of neighbours, with particular regard to outlook.

Reasons

Issue a) Character and appearance

3. The appeal property is a detached bungalow on the west side of Downs Valley Road, close to its junction with Crescent Drive North. There are a mix of bungalows, chalet bungalows and houses in this predominantly residential area. In this part of the road, the land slopes down from north to south. The appeal bungalow has a hipped roof and a detached garage to the side, set back behind the main property.
4. The proposal would seek to extend to the rear and to the side to provide a new garage together with additional living accommodation and then extending the roof to create a covered area outside the rear facing bedroom.
5. The height of the proposal would result in a very unsympathetic relationship with the existing property whereby there would be a very awkward juxtaposition between the new proposed flat roof at the rear and the side extension and the existing, lower eaves line. This would result in a visually discordant appearance and detract from the scale and proportions of the

existing dwelling. In addition, the relationship of the new extension to the existing rear bay window would be cumbersome and detract from the existing feature of the property. Given its size, height and siting, the proposal would appear as a separate structure attached to the main house rather than an integrated extension to the existing building.

6. Although it would not be widely seen in street scene views, the proposal would not relate well to the existing property and in limited views from the front and from neighbouring properties it would be a visually discordant feature which would harm the character and appearance of the local area.
7. I therefore conclude that the proposal would harm the character and appearance of the existing property and of the local area. This would conflict with Policy QD14 of the adopted Brighton and Hove Local Plan (Local Plan) and the National Planning Policy Framework (Framework) and in particular Section 7, both of which seek a high standard of design which respects the local context.

Issue b) Living Conditions

8. The land slopes down steeply so that the appeal property is set at a higher level than the adjoining property at No 4 Downs Valley Road. The existing garage is modest in scale and height. I have taken into account the sloping roof to the side garage extension to reduce the height along the common boundary with No 4. Nonetheless, the combined effect of the length of development along the boundary which would be to the rear of the neighbouring property, as well as its height and taking into account the difference in land levels would be oppressive and overbearing for the neighbours, particularly in terms of their outlook from the rear of their property and from within their rear garden.
9. I therefore conclude that the proposal would materially harm the living conditions of adjoining neighbours, with particular regard to loss of outlook. This would conflict with Policies QD14 and QD27 of the Local Plan and one of the Core Principles of the Framework, which seeks for a good standard of amenity for existing and future occupiers.
10. I agree with the Appellant that there would be no loss of privacy or light for the neighbours from the proposal given the relationship of the proposal to the neighbouring property. The Council also raised no issue in this regard.

Other Considerations and Conclusion

11. I have sympathy with the Appellant's reasons for seeking to undertake the extensions and works, including to improve privacy in respect of overlooking from the glazed side passage to the neighbouring house to the north which sits at a higher level, but these reasons do not persuade me that this proposal should be permitted given the harm I have found.
12. The Appellant has referred to an alternative scheme with a lowered height which would be a permitted development solution. I have not been provided with any plans of such an alternative, but there is no dispute that the scheme before me does require planning permission and it is the height of the proposal and its very awkward juxtaposition with the existing property which is one of the key concerns with this scheme, as set out above.

13. My attention has been drawn to works at the neighbouring property which the Appellant considers are similar to his own proposals. Each proposal must be judged on its individual merits and I have been provided with no information on the works undertaken at the adjoining property. Nonetheless, I have taken them into account, but on the basis of the very limited information before me, it does not persuade me that permission should be given in this instance given the harm I have concluded.
14. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR

