



Appeal Decision

Site visit made on 23 September 2008

by **J O Head BSc(Econ) DipTP MRTPI**

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

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**Decision date:
7 October 2008**

Appeal Ref: APP/Q1445/A/08/2071291

6 Jevington Drive, Brighton, East Sussex BN2 4DG

- 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 Darren Redman against the decision of Brighton & Hove City Council.
- The application Ref BH2007/03934, dated 23 October 2007, was refused by notice dated 25 January 2008.
- The development proposed is a two-storey side extension to the house.

Decision

1. **I dismiss the appeal.**

Main issues

2. The main issues are the impact of the proposal on the appearance of the house and on the street scene in Jevington Drive; and the impact of the proposed balcony on the living conditions of the occupiers of surrounding properties with particular regard to overlooking and privacy.

Reasons

3. On the first issue, No 6 is one of a number of semi-detached houses of similar design on the north side of this part of Jevington Drive. They are in an elevated position, with extensive views from the rear of the houses towards the north-east. The pairs of houses are widely spaced, particularly in the vicinity of the appeal property, and have only garages or single storey additions between, allowing open views from the street which contribute to a sense of spaciousness.
4. The pairs of houses become closer together towards the west and the gap between Nos 6 and 8 is the largest on this side of the road. By encroaching on the gap between the houses at first floor level, the proposed extension would interrupt the established rhythm of the development, although its impact on spaciousness would be limited because of the width of the gap that would remain. However, the extension would be a noticeable addition to the street scene. Although it would appear subservient to the existing building, the incorporation of a garage in the same position as the existing and consequent setting back of the upper storey would result, in my opinion, in an extension of

- awkward and unsatisfactory design. In particular, the proposed garage door opening, positioned partly within the single-storey and partly within the two-storey elements of the extension, would cause the front elevation to appear weak and disturbing to the eye. This would detract from the appearance of both the existing house and the street scene.
5. Local Plan Policy QD1 requires all proposals for new buildings to demonstrate a high standard of design and make a positive contribution to the visual quality of the environment and Policy QD14 requires all extensions to be well designed and detailed in relation to the property to be extended, adjoining properties and the surrounding area. I consider that the appeal proposal would fail to meet those requirements and that the extension would be an unsympathetic and incongruous addition that would harm the appearance of the house and the street scene in Jevington Drive.
 6. Turning to the second issue, the balcony would serve the proposed bedroom. It would be at approximately the level of the existing flat roof of the garage and I estimate that it would allow views over a substantial part of the paved rear garden of No 8 Jevington Drive, including views directly to the north-west towards the rear of the house that would not be obtainable from any existing windows. This would involve an unneighbourly loss of privacy to a part of the garden that is at present relatively private. Nevertheless, the far end of the garden of No 8, and the gardens of the houses to the rear, are already overlooked to some extent from the first and second floor windows of No 6 and other houses in this part of Jevington Drive. Other than enabling a view towards the rear of the house at No 8, the proposed balcony would not make the existing situation significantly worse. The addition of a fixed screen to the side of the proposed balcony, as suggested by the appellants, could be required by condition if I were to allow the appeal and would prevent direct views towards the house. Subject to the erection of a suitable screen, I consider that the requirements of Local Plan Policy QD27 would be satisfied and that no material harm would be caused to the living conditions of the occupiers of surrounding properties.
 7. Nevertheless, that does not outweigh the unacceptability of the proposed extension with regard to its impact on the appearance of the host building and the street scene.

John Head

INSPECTOR