



# Appeal Decision

Site visit made on 12 September 2008

by **J A B Gresty MA MRICS**

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

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**Decision date:**  
**8 October 2008**

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## Appeal Ref: APP/Q1445/A/08/2064342

### 23 Longhill Road, Ovingdean, Brighton BN2 7BF

- 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 David Burgess against the decision of Brighton & Hove City Council.
- The application, Ref: BH2007/01612, dated 12 April 2007, was refused by notice dated 20 September 2007.
- The development proposed is the enclosure of balcony.

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## Decision

1. I dismiss the appeal.

## Main issues

2. There are two main issues in this case. Firstly, the effect of the proposed development on the character and appearance of the area and, secondly, the effect of the proposal on the living conditions of the occupiers of 25 Longhill Road with regard to loss of outlook and light.

## Reasons

### *Character and Appearance*

3. The appeal property is a detached two storey house. Whilst there is no one single defining style of house on Longhill Road, most of the properties in the locality are built with exposed brick walls and pitched roofs. The appeal property has a distinctive modernist appearance with white rendered walls and flat roofs. Like its neighbours on the south-west side of the road, the house is set back from the road and it stands on ground below the level of the road. The ground floor of the house and the garage are partly screened from view from the road by a dense hedge.
4. Policy QD14 of the Brighton & Hove Local Plan (LP), adopted 21 July 2005, requires extensions to be well designed and to take account of the character of the area. The proposal includes the construction of a new room over the existing single storey garage and dining room. The extension would have a similar striking design to that of the host dwelling, including a flat roof, rendered walls and a mixture of circular and rectangular shaped windows.
5. The garage stands forward of the main front elevation of the house and the front part of the extension would be noticeably forward of the general line of building on this side of the road. The extension's design, height and its forward position would result in it being unduly prominent in the street scene when

viewed from either direction along the road and I conclude that it would be out of keeping with the character and appearance of the area, contrary to the aims of LP Policy QD14.

*Living Conditions*

6. LP Policy QD27 provides that planning permission will not be given for any development that would cause loss of amenity to nearby residents. In this case the flank wall of the proposed extension would stand opposite the facing first floor windows and a balcony of No 25. Whilst that part of the extension would be several metres from the boundary of the appeal plot, and it would not have any windows that faced No 25, the flank wall of the extension would affect adversely, albeit to a limited extent, the outlook from No 25. Also, the appellant has not demonstrated to me that the proposed extension would allow an adequate amount of natural daylight and or sunlight to reach No 25 at all times of day and year. I conclude that the proposal would reduce the quality of the living conditions of the occupiers of No 25, to an extent that would be contrary to the aims of LP Policy QD27.
7. The appellant has provided examples of buildings elsewhere in the area that indicate varied building lines and styles of extension. However, I find these examples not to be directly comparable to the proposed extension and they do not outweigh the concerns I have with the proposal.
8. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

*J A B Gresty*

INSPECTOR