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# Appeal Decision

Site visit made on 17 March 2015

**by Mr C J Tivey BSc (Hons) BPI MRTPI**

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

**Decision date: 7 April 2015**

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**Appeal Ref: APP/Q1445/A/14/2229123**  
**6A Oxford Street, Brighton, Sussex BN1 4LA**

- 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 Behnam Behdad against the decision of Brighton and Hove City Council.
  - The application Ref BH2014/00500, dated 30 June 2014, was refused by notice dated 4 August 2014.
  - The development proposed is for a second floor extension.
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## Decision

1. I dismiss the appeal.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

3. The locality is characterised by an eclectic mix of building designs and scales with some modern infill development. The appeal building is of two and a half storeys with flat roof dormers to its front and rear elevations and a chimney to its western gable. I note that there are a number flat roof buildings in the locality and that these are not restricted to buildings constructed from a specific era. However, each proposal must be assessed on its own merits and visually the subject building needs to be assessed against its immediate context, which comprises of buildings with pitched roof forms at 114-117 London Road and 7-10 Oxford Street.
  4. The proposal would give rise to the loss of architectural detailing such as the original pitched roof, eaves and gable lines, along with the chimney. Combined with its resultant increased mass and scale, the proposal would render the host building as more prominent in the street scene. Therefore I cannot consider that the proposal would complement the appearance of the existing building. I acknowledge that the ground floor shop unit is currently in a poor state of repair, and which has not been occupied for several years, but there is nothing in the submissions before me to demonstrate that this proposal is necessary to enable improvement works to be carried out and the unit to be re-let.
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5. I have had regard to the Open Market development to the rear of the appeal site which has been designed in a contemporary manner, but notwithstanding this, I find that by virtue of its scale, design, massing and bulk, the appeal proposal would represent a visually discordant addition that would be harmful to the character and appearance of the area.
6. Therefore, whilst I acknowledge that the Council raise no objection to the proposal on residential amenity grounds, I find the proposal in conflict with Policy QD14 of the Brighton and Hove Local Plan 2005 (LP) as the proposal would not be well designed, sited or detailed in relation to the property to be extended, adjoining properties or to the surrounding area. The proposal also conflicts with the general design principles as set out within the Council's Design Guide for Extensions and Alterations (Supplementary Planning Document 12) which recognises that any excessively bulky additions can have a significantly harmful impact on both the appearance of the property and the continuity of a street-scape.

### **Conclusions**

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

*C J Tivey*

INSPECTOR