



Appeal Decision

Site visit made on 12 March 2015

by Kenneth Stone Bsc(Hons) DipTP MRTPI

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

Decision date: 24 March 2015

Appeal Ref: APP/Q1445/D/14/2227389
17 Hill Drive, Hove, East Sussex BN3 6QN

- 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 J Paxton against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01407, dated 29 April 2014, was refused by notice dated 08 September 2014.
 - The development proposed is described as 'remodelling of existing bungalow to form a 3 no. bedroom house with garage and associated works in rear garden (part retrospective)'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development in the banner heading above is that taken from the appeal form and the Council's decision notice. This provides a more complete description of the proposed works than that contained in the original application form. Although there is reference to the works being part retrospective this is not a description of development and is therefore superfluous. I did however note that the works to the raised rear garden area and outbuilding were completed at the time of my visit.
3. I have considered the appeal on this basis.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - the living conditions of the occupiers of 19 Hill Drive with particular reference to outlook.

Reasons

Character and appearance

5. Hill Drive is a residential road that has an irregular building line and an incline falling from the north-east down towards the south-west. The appeal site, 17 Hill Drive (No 17), is located on the south-eastern side of Hill Drive where the properties at this point are elevated above the street level. The site presently

- accommodates a frontage that has been excavated and hard surfaced at street level, providing off-street parking, and a modest detached bungalow set back from the road and at a higher level. The bungalow is accessed by steps up from the parking area.
6. To the north-east, 19 Hill Drive (No 19) is a two storey detached house set closer to the road than No 17, while to the other side 15 Hill Drive (No 15) accommodates a detached property set further back from the road than the bungalow on the appeal site. The general area is characterised by large detached properties on generous plots although reasonably closely spaced. There is significant variation in style and detailing but there is a prevailing vernacular character of traditional properties of brick and tile with pitched or hipped roofs.
 7. The existing building is of more modest proportions and form than those surrounding when viewed from the street but its elevated position and siting assist in integrating it comfortably within the existing street scene. The proposed property would result in the existing bungalow being transformed into a modern cubist building with a rendered finish and substantial areas of glazing. The appearance of the proposed building would be significantly at odds with the more traditional shapes and forms of the surrounding buildings. The geometric shapes, flat roof and various projecting elements would be particularly noticeable given the forward siting of the building as approached from a southerly direction and along Dean Way opposite.
 8. Whilst the proposed building would have a height commensurate with the ridge heights of the adjoining properties these have pitched and hipped roofs which substantially reduce the bulk and mass of the built form at the upper levels. The proposed building would appear substantially more bulky than the surrounding properties. The visual rhythm of the pitched roofs in the street would be abruptly interrupted by the cubist form of the proposed building. The combination of the additional forward projecting garage block element at street level and the upper floor with the angled projecting element would be particularly evident in the street given the existing set back of properties behind landscaped frontages on the adjoining plots. The relatively narrow spacing between the properties would result in such a radically different form of architecture appearing as an awkward and inappropriate insertion in an otherwise relatively vernacular street. The lack of space and setting for the building with its greater bulk and mass would emphasise the contrast between the built forms which would appear alien within this street scene. As is noted in Supplementary Planning Document 12 - Design Guide for Extensions and Alterations modern design approaches will therefore not always be the most appropriate solution and in most cases the character and form of the building and its context will demand a more traditional and reserved design approach.
 9. For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the surrounding area. Consequently it would conflict with policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12 - Design Guide for Extensions and Alterations. These require extensions and alterations to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

Living conditions

10. The proposed alterations and additions to No 17 would result in a built form that is substantially more bulky than the existing building. Whilst the overall roof height may not significantly increase the height of the building the volume of the building at this upper level is substantially increased. The proximity to the boundaries and the limited separation results in the extended flank walls being higher and deeper than presently exist. Given the siting of the building which projects significantly beyond the rear elevation of No 19 and which sits to the south of that property the resultant flank elevation would be particularly dominant in the outlook from that property. The building would present a blank façade rising above and dominating the rear amenity space closest to the property which would appear overbearing.
11. I have not been given the full details of schemes which are the subject of previous decisions of the Council but in any case I am judging the impact of the scheme before me and dealing with the merits of this case.
12. For the reasons given above I conclude that the proposed development would result in material harm to the living conditions enjoyed by the occupants of 19 Hill Drive, with particular reference to outlook. Consequently it would conflict with policy QD27 of the Brighton and Hove Local Plan which seeks to protect the amenity of adjacent residents or occupiers.

Other matters

13. The additional works to the rear garden and the outbuilding do not substantially add to the impact of the development on either the character or appearance of the area or the living conditions of the neighbouring properties.
14. I have had regard to the examples of other modernist developments in the Brighton and Hove area referred to by the appellant. However I have not been provided with the full details of the examples cited and in many instances there was little resemblance to the form of development proposed here or similarity with the relationships with the adjacent properties and character of the area that was evident at the appeal location. It is a well established principle that each proposal should be considered on its own merits which I have done here.

Conclusions

15. For the reasons given above I conclude that the appeal should be dismissed.

Kenneth Stone

INSPECTOR

