



Appeal Decision

Site visit made on 23 June 2009

by **Philip Willmer BSc Dip Arch RIBA**

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

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Decision date:
8 July 2009

Appeal A Ref: **APP/Q1445/E/09/2099652**

21 North Road, Preston, Brighton, East Sussex, BN1 6SP.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mrs Kim Stoddart against the decision of Brighton and Hove City Council.
- The application Ref. BH2008/02929, dated 31 August 2008, was refused by notice dated 11 November 2008.
- The works proposed are described as "proposed rear single storey extension to property".

Appeal B Ref: **APP/Q1445/A/09/2094223**

21 North Road, Preston, Brighton, East Sussex, BN1 6SP.

- 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 Mrs Kim Stoddart against the decision of Brighton and Hove City Council.
- The application Ref. BH2008/02926, dated 6 October 2008, was refused by the Council by notice dated 11 November 2008.
- The development proposed is described as "construction of single storey rear extension to property".

Decision

1. I dismiss these appeals.

Main Issues

2. I consider the main issues to be firstly, the effect of the proposed development on the special architectural character and historic interest of the listed building, the setting of the terrace and thereby the conservation area. Secondly, the impact of the development on the living conditions of neighbouring residential occupiers.

Reasons

3. The appeal property, number 21, is one of a terrace of modest 18 century cottages on the south side of North Road situated in the Preston Village Conservation Area. The rear walls of the cottages are built of flint with brick quoins and dressings to door and window openings. The rear wall of 21, in contrast to the neighbouring cottage, appeared new or extensively renovated as the brickwork to the openings seemed recent and the flint work was coursed and struck pointed. Notwithstanding these works, this cottage nevertheless

remains one of what I saw to be a visually coherent terrace, and it is this which I consider defines its special architectural and historic interest.

4. There is a single storey extension to the rear of number 19 and rear dormers have been built here and at number 25. While these have changed the appearance of the rear of the terrace, these alterations have not been so dramatic that the visual cohesiveness, and therefore the special architectural and historic interest, of the terrace has been lost.
5. The appellant proposes a single storey addition to the rear to form a dining room. It would be full width and project into the garden by some 3.7 metres or so, being a little over half the depth of the existing cottage. I understand that the side walls would be of masonry construction finished with knapped flints, the west wall fully glazed along with a sloping roof.
6. In my judgement imaginative well designed yet modest contemporary additions to listed buildings can sometimes, in appropriate circumstances, appear as sensitive high quality additions that do not detract from the buildings' special interest. However, in this case, having regard to the scale of the existing cottage and terrace in relation to the proposed addition, I consider that it would result in an unsatisfactory extension. The full width glazing to the south elevation would, as identified by the appellant, allow views of the existing rear wall. Nevertheless, in my opinion, the extension would by virtue of its depth, scale and form detract from the listed building, the terrace and the overall setting of the listed building and thereby the character and appearance of the conservation area.
7. Further, as the drawings before me are in outline and limited to schematic plans, sections and elevations only, they do not, in my opinion, either illustrate or describe the works proposed adequately. Were planning permission and listed building consent granted, it would be impossible for a contractor to (a) know from the drawings what precisely had been permitted or, (b) carry out the works without potentially adversely harming the integrity of the listed building. Accordingly, I find that to consider the proposed works without detailed drawings or an adequate specification would be to disregard the duties imposed by Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. I conclude in respect of the first main issue that the proposed development would have a detrimental impact on the special architectural character and historic interest of the listed building, as well as the setting of the terrace and thereby the Preston Village Conservation Area. The proposal is therefore contrary to the advice in PPG15 as reflected in Policies HE1, HE6, QD14 and QD27 of the Brighton and Hove Local Plan (LP).
9. The rear gardens of the cottages are relatively small and enclosed and there is already an extension to the rear of number 19. The proposed addition would project some 3.7 metres from the rear wall of the terrace and be built full width across the plot with solid walls to either boundary. I agree with the Council that the proposal would not, due to its single storey form, result in a significant loss of light to neighbouring properties but would inevitably lead to a greater sense of enclosure. However, in my opinion this would not, because of the

existing configuration of development, have a significant impact on the living conditions of neighbouring residential occupiers.

10. I conclude in respect of the second main issue that the proposal would not have a detrimental impact on the living conditions of neighbouring residential occupiers. The proposal therefore accords with the objectives of LP Policies QD14 and QD27 in this regard.

Conclusions

11. I have concluded that this proposal would not adversely affect the living conditions of neighbouring residential occupiers. However, I consider that this factor is outweighed by the unacceptable harm that would ensue to the listed building, the terrace and the conservation area. To my mind these are compelling objections. I have considered the other matters raised, but none change my overall conclusion, reached on the planning merits of the proposal, that the appeals should not succeed.

Philip Willmer

INSPECTOR

