



Appeal Decision

Site visit made on 12 November 2009

by **Keith Manning BSc (Hons) BTP MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
7 December 2009

Appeal Ref: APP/Q1445/A/09/2107891

7 York Villas, Brighton, East Sussex BN1 3TS

- 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 Lynn-Evans against the decision of Brighton & Hove City Council.
- The application Ref BH2009/00469, dated 23 February, was refused by notice dated 7 May 2009.
- The development proposed is demolition of garage and erection of two-storey side extension (re-submission of BH2007/04356).

Decision

1. I dismiss the appeal.

Main issue

2. The primary issue is the effect of the proposed development on the character and appearance of the area with particular regard to the street scene.

Reasons

3. The appeal site is one of a group of substantial semi-detached residences of originally uniform design and appearance on the south side of York Villas, complemented by a terrace of smaller dwellings to the east. Despite changes over time, the underlying unity of the group has been retained to positive effect. The semi-detached houses opposite are of a different design but similarly cohesive as a group. The road slopes down markedly from west to east.
4. A small garage has at some time been attached to one side and although it is set back only a small distance from the main front elevation of the house, the slope of the land has the effect of effectively subordinating it to the host dwelling so that it is relatively inconspicuously in the overall street scene.
5. The existing house has an imposing front door and entrance with steps, whereas the proposed extension would be fronted by a separate entrance door for convenience of access to the ground floor office/playroom and the stairs to the bedroom and bathroom above, all of which would replace the single storey structure that currently exists to create a two storey side extension that would have a flat roof at around 2 metres below the eaves of the main house. Although the extension would have the appearance of an attached residential annexe, the plans show that internally it is connected as an extension and that is what I take it to be, as the application states. Future subdivision would require planning permission in any event.

6. A number of the residences within the group of which No 7 forms part have side extensions but these are generally set well back so as not to distract attention away from the distinctive and well proportioned front elevations and they are therefore subordinate in depth as well as height to the original structures. The proposed extension at issue would appear markedly at odds with that approach. Moreover, its position at the end of the group, where there is space between it and the end of terrace dwelling at No 5, would render it more conspicuous within the street scene than might otherwise be the case, demanding a design sensitive to the visible side elevation of the host building.
7. Below the existing side dormer and eaves line, the existing pair of sash windows would be incongruously truncated by the roof of the proposed extension. Moreover, its side wall would present to public view a blank and utilitarian elevation that would harmfully diminish the visual qualities and generally pleasing proportions of the house as viewed from the opposite side of the street to the north east.
8. Saved policies QD2 and QD14 of the Brighton and Hove respectively concern design principles for all new developments and extensions and alterations specifically. The former of the two policies highlights, amongst other things, the need to take account of the height, scale, bulk and design of existing buildings and the latter requires extensions to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. For the reasons I have given, I do not consider those requirements would be met by the proposed development and consequently it would cause harm to the good quality street scene and the character and appearance of the area, conflicting with the intentions of the development plan. Moreover, PPS1 *Delivering Sustainable Development* emphasises the importance of design in context and that inappropriate design should not be accepted.
9. I note that there were discussions with a planning officer prior to submission of the application, that there has been a previous permission for a two storey extension (the full details of which are not before me) and that the personal circumstances of the appellant might render it convenient to utilise a separate entrance to the proposed extension. However, neither these nor the various other considerations raised are sufficient to outweigh the harmful conflict with the intentions of relevant policy that I have identified.
10. For the reasons given above I conclude that the appeal should be dismissed.

Keith Manning

Inspector