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# Appeal Decision

Site visit made on 18 July 2011

by **Martin Joyce DipTP MRTPI**

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

Decision date: 27 July 2011

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**Appeal Ref: APP/Q1445/D/11/2154170**  
**95 Carden Avenue, Brighton BN1 8NF**

- 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 Ms R Lord against the decision of the Brighton and Hove City Council.
  - The application, Ref: BH2011/00429, dated 15 February 2011, was refused by notice dated 14 April 2011.
  - The development proposed is a first floor extension and remodelling to form two-storey house.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

## Reasoning

3. The proposal involves the substantial remodelling of an existing chalet bungalow to form a two-storey flat-roofed house, with a parapet wall surrounding a sedum roof. The walls would be rendered and coloured white, with fenestration in a contrasting, albeit unspecified, colour.
4. The character of the surrounding area is that of a suburban housing estate built with a mixture of house types and styles on varied topography. In terms of appearance, the differing slopes of the land and mature vegetation provide a relief to the long rows of houses built alongside the principal roads of the area, including Carden Avenue. The appeal property is sited to the rear of No 93 Carden Avenue on a backland plot, but its access runs alongside Patchdean, and the existing northern side elevation lies adjacent to this cul-de-sac, which contains modern terraced housing and associated garage blocks.
5. Various policies in the Brighton and Hove Local Plan (LP) have been referred to by the Council in their reason for refusal but it seems to me that their main concern relates to the quality of the contemporary design of the proposal, rather than to the principle of extensions to provide additional accommodation. Previous applications for extensions to form up to two additional storeys for this bungalow have been refused largely because of the bulk and style of the proposed development, and this has resulted in the appellant seeking an innovative and radically different design for the property.

6. Policy QD1 of the LP requires a high standard of design in all proposals for new buildings and a positive contribution to the visual quality of the environment, whilst Policy QD2 seeks to ensure that new developments are designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking account of local characteristics. Of particular relevance is Policy QD14, which relates to extensions and alterations to existing buildings and is therefore directly applicable to the proposal before me. This policy states that planning permission will only be granted if the proposed development is, amongst other things, well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area, and uses materials sympathetic to the parent building.
7. The box-like design would not, in my view, accord with the various design policies of the LP. Despite the extent of existing vegetation which helps to screen the existing bungalow, albeit much of it outside the control of the appellant, it would appear as a stark and incongruous block visible in prominent views along Patchdean, and in oblique views from Carden Avenue at a point where there is a gap in the frontage development. Whilst some distance from the latter road, and despite the intervening thick and tall coniferous hedge at the end of the garden of No 93, the resultant house would create a jarring and inappropriate visual impression at odds with the character and appearance of its surroundings.
8. I saw that other modern house styles have been built nearby, for example at Nos 97 and 99 Carden Avenue, where a mono-pitch design has been employed at the end of a terrace of houses. I also note that other contemporary designs have been permitted elsewhere in Brighton, although I do not know the full circumstances of those individual cases. However, none of this justifies a design which contrasts so sharply with its surroundings in terms of style, size and materials. Moreover, the odd arrangement of windows, and the lack of detail in relation to their materials and colour, adds to the overall unacceptability of the proposal.
9. My conclusion on the main issue is that the proposed development would materially harm the character and appearance of the surrounding area contrary to the relevant policies of the LP.

### **Other Matters**

10. All other matters raised in the written representations have been taken into account, but they do not outweigh the conclusions reached on the main issue of this appeal. I have also considered whether the draft National Planning Policy Framework would give rise to any issues relating to this appeal, but I have concluded that it would not.

*Martin Joyce*

INSPECTOR