



Appeal Decision

Site visit made on 23 September 2010

by Simon Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 3 October 2011

Appeal Ref: APP/Q1445/D/11/2158607

10 Gorse Close, Portslade, Brighton, East Sussex BN41 2YX

- 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 Geoffrey Doyle against the decision of Brighton and Hove City Council.
 - The application Ref BH2011/01479, dated 20 May 2011, was refused by notice dated 24 June 2011.
 - The development proposed is the erection of a two storey rear extension.
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Decision

1. I dismiss the appeal.

Main Issues

2. The main issues in this case are the effects of the proposal on:
 - (i) the living conditions of the occupiers of 9 Gorse Close, with particular regard to outlook and natural light; and
 - (ii) the character and appearance of the host property, its semi-detached partner and the surrounding area.

Reasons

3. The appeal property is a semi-detached house situated at the end of a residential cul-de-sac. The surrounding area contains properties of similar design with upper floors partly accommodated in the roof space and prominent street-facing dormers and more modest rear-facing dormers. The proposal would replace a conservatory with a full-width, 2-storey rear extension with a flat roof.
 4. I recognise that a small number of nearby properties have 2-storey rear additions, all of which were either built or granted planning permission before the adoption of the Brighton and Hove Local Plan (LP) in 2005. In addition the extension at 21 Gorse Close is not directly comparable to the appeal proposal in terms of its siting and relationship to its attached neighbour. I therefore attribute limited weight to these matters.
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Living conditions

5. The proposal would protrude a significant distance beyond the original rear building line of the appeal property and its attached pair and would be sited directly next to the boundary between the 2 properties. As a result of its height, siting and depth, it would significantly enclose the rear of No. 9 and have an unacceptable effect on outlook from, and daylight to, the rear facing rooms and the conservatory. For these reasons I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of No. 9. It therefore fails to comply with LP Policies QD14 and QD24 which resist development that would result in a loss of outlook or daylight to adjacent residents.
6. As the proposal would be sited to the north of No. 9's rear garden and would be a reasonable distance from No. 11, I am satisfied that it would not cause unacceptable levels of overshadowing. This does not however overcome the harm I have identified above.

Character and appearance

7. The proposal would extend above the height of the eaves at the rear of the appeal property and protrude a significant distance beyond the entirety of the original rear elevation. Due to its height, width and depth, in my judgement the proposal would be an overly dominant addition which would have a poor relationship to the relatively diminutive host property and its pair. For these reasons I conclude that the proposal would have an unacceptable effect on the character and appearance of the appeal property, its semi-detached partner and the surrounding area. It therefore fails to accord with LP Policies QD1 and QD14 which seek extensions that are of a high standard of design and which are well designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area.

Conclusion

8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

Simon Poole

INSPECTOR