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# Appeal Decision

Site visit made on 10 January 2012

**by D G T Isaac LLB**

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

**Decision date: 17 January 2012**

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**Appeal Ref: APP/Q1445/A/11/2162436**  
**45-46 North Street, Brighton**

- 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 E Sharanizadeh against the decision of Brighton & Hove City Council.
  - The application Ref. BH2011/01808, dated 21 June 2011, was refused by notice dated 24 August 2011.
  - The development proposed is an extension at roof level of no. 46 to form a one bed flat.
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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 extension on the character and appearance of the Old Town Conservation Area and the existing building at no. 46 North Street.

## Reasons

3. The existing building at no. 46 North Street forms part of a street frontage in the Old Town Conservation Area which is characterised by a variety of buildings in terms of height and scale. In a previous Appeal Decision concerning this site (Ref: APP/Q1455/A/09/2111729), the Inspector observed and I agree that the smaller buildings within this frontage in particular, make a significant contribution to the street scene, and no. 46 is one of the smaller buildings in the street frontage on this part of North Street.
4. As in the case of the previous appeal scheme, the current proposal would involve the erection of an additional floor above the existing building at no. 46 North Street. In contrast with the previous appeal scheme, the extension in the current proposal would be set back from the front of the existing building. This would limit the impact of the proposed extension in longer range views on approaching the site along North Street from either direction. Nevertheless, the proposed extension would be open to view and the additional height of the building would be clearly evident from closer viewpoints on the opposite side of North Street.
5. The extended building at no. 46 North Street would not be as high as the adjoining building no. 45 North Street. However, the proposed extension would reduce the existing difference in height between the respective buildings

to an extent that would materially detract from the positive contribution that the different height of the existing buildings makes to the character of the area. The proposal would thereby conflict with one of the aims of the Council's Supplementary Planning Guidance Note 1, *Roof Alterations and Extensions* (SPG) which seeks the retention of varied roof lines where these are an important aspect of the character of an area.

6. Having regard as well to the differences between the external appearance and design of the proposed extension and the detailing and design of the lower levels of the existing building and adjoining buildings, I consider that the proposed extension would in addition be an unsympathetic addition which would unacceptably detract from the character and appearance of the existing building and the street scene. The proposed extension would therefore not satisfy the requirements of policy QD14 of the Brighton and Hove Local Plan (LP) which seeks to ensure that extensions are well designed and detailed in relation to the property to be extended, adjoining properties and the surrounding area.
7. By involving the construction of an extension which would detract from the character and appearance of the existing building and would not satisfy the requirements of LP policy QD14, the proposal would also fail to preserve or enhance the character or appearance of the Old Town Conservation Area and in that respect it would conflict with LP policy HE6 which seeks to ensure that proposals within a conservation area preserve or enhance the character or appearance of the area.
8. On the main issue in this appeal, I therefore conclude that the proposed extension would have a harmful effect on the character and appearance of the existing building, that it would not preserve or enhance the character or appearance of the Old Town Conservation Area, and that it would conflict with LP policies QD14 and HE6 and with the advice in the SPG.
9. I have considered all of the other matters raised including what the appellant has said about the current application having been made following discussions with one of the Council's Planning Officers. The proposed extension would make more efficient use of land and I have taken into account the benefits that it would offer in terms of providing additional residential accommodation in a town centre location. However, none of these or any other matters raised are sufficient to outweigh my conclusion on the main issue which in itself provides a sufficiently compelling reason to dismiss the appeal.

*D G T Isaac*

INSPECTOR