



Appeal Decision

Site visit made on 27 November 2013

by **S Holden BSc MSc CEng TPP MRTPI FCIHT**

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

Decision date: 3 December 2013

Appeal Ref: APP/Q1445/D/13/2207857

41 Prince's Road, Brighton, BN2 3RH

- 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 C Lean against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02737 was refused by notice dated 7 October 2013.
 - The development proposed is a rear extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed rear extension on the character and appearance of the host property. As the property lies within the Round Hill Conservation Area I also have a statutory duty to consider whether or not the development would preserve or enhance the character or appearance of that Area.

Reasons

3. Prince's Road is characterised by modest Victorian terraced houses. Many of the rear elevations have paired two-storey outriggers with pitched roofs. No 41 has already been extended with an infill between the outrigger and the shared boundary with No 43. This infill extension has a mono-pitched roof. The proposal seeks to add another single storey extension that would project beyond the existing rear elevation and would span the full width of the property. It would also have a mono-pitched roof, the upper end of which would be just below the first floor windowsill of the outrigger.
4. The rear elevations of the surrounding properties display considerable variety. Nos 43 and 45 have flat roof single-storey extensions that project beyond their rear outriggers. No 37 appears to be a double width property that has been substantially altered and it also has a large single storey rear extension with a flat roof above which is a smaller flat roof extension. I note that the Council has no planning history for any of these extensions, all of which appear to have been constructed some time ago. The presence of the existing extensions is therefore not a material consideration of significant weight in my consideration of the appeal proposal, which I must determine on its individual planning merits having regard to current planning policy.

5. The Council has recently adopted a Supplementary Planning Document: *Design Guide for Extensions and Alterations* (SPD12), which sets out specific advice in relation to rear extensions of properties with outriggers. It advises that single storey infill extensions between the outrigger and the shared boundary, such as that which has already been implemented at No 41, are acceptable. However, single storey extensions should not normally extend beyond the rear wall of the outrigger or wrap around the rear elevation. Developments of this kind fail to preserve the original plan of the house.
6. No 41 is paired with No 39 and their outriggers remain in their original condition. The proposed extension would therefore disrupt the form and plan of the original dwellings. This would be harmful to the character of the house and would be contrary to the advice of SPD12. In addition the roof slopes of the existing rear infill extension and that of the proposed additional extension would be different. This would create an awkward connection between the two roofs and would result in the proposal failing to integrate satisfactorily with the existing dwelling and its extension. Moreover, the mix of sloping and flat roofs on this and the surrounding extensions would contribute to a further erosion of the character of the rear of this terrace of Victorian houses.
7. I am also mindful that Prince's Road lies within the Round Hill Conservation Area, an area characterised by 19th century terraced buildings with continuous frontages. Government policy in respect of the historic environment is set out in the National Planning Policy Framework. Paragraph 126 advises that heritage assets should be recognised as an irreplaceable resource that local authorities should conserve in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal. This approach is reflected in saved Policy HE6 of the Brighton & Hove Local Plan, which requires development within conservation areas to preserve or enhance the character or appearance of the area.
8. Although the rear of No 41 is not visible from any public viewpoints, the Victorian outrigger is a distinctive feature of this and other properties in the vicinity. The construction of overly large rear extensions that are not sympathetic to the original form of the dwellings can therefore be harmful to the heritage assets within the conservation area. Although the harm to an individual building may be less than substantial, the incremental and cumulative loss of these original features could adversely affect the conservation area and the heritage asset as a whole.
9. I appreciate that the construction of a new extension could provide an opportunity to make the house more thermally efficient. However, this small-scale public benefit would be outweighed by the harm to the original features of the house. I therefore consider that the proposal would fail to preserve the conservation area.
10. I conclude that the proposed extension would be harmful to the character and appearance of the host property and the Round Hill Conservation Area. It would be contrary to saved Policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan and the advice of SPD12. These policies and guidance require all extensions to be well designed, sited and detailed in relation to the property to be extended and the surrounding area, especially in areas protected for their historic interest.

Other matters

11. The Council considered the potential effects of the proposed extension on the living conditions of occupants of adjoining properties and concluded that they would not suffer material harm. I see no reason to come to a different view and note that there were no objections to the scheme from neighbours. However, these positive aspects of the proposal do not diminish the harm I have identified.
12. The appellant's concerns about the noise and fumes from the Veolia depot in Hollingdean Lane are not matters that I can consider in the context of this appeal. I note that the appellant would prefer to extend his existing home for his growing family rather than move house. However, these personal circumstances are likely to be short term when compared with the permanent alterations to a dwelling. They are therefore insufficient to justify setting aside harm to the character and appearance of the area.

Conclusion

13. For the reason set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR