
Appeal Decision

Site visit made on 16 December 2013

by Louise Phillips MA (Cantab), MSc, MRTPI

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

Decision date: 19 December 2013

Appeal Ref: APP/Q1445/D/13/2207736

30 Brangwyn Way, Brighton BN1 8XA

- 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 & Mrs Ohara against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01825, dated 6 April 2013, was refused by notice dated 24 September 2013.
 - The development proposed is described as "first floor extension to side of existing".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the existing dwelling and surrounding area; and on the living conditions of the neighbouring occupiers at number 29 Brangwyn Way.

Reasons

Character and Appearance

3. Brangwyn Way is prominently situated in an elevated position parallel to the A23 Patcham Bypass. It is composed of attractive detached houses of a similar style and it has a cohesive appearance overall. Whilst some houses have been altered and extended, the majority have a gabled front projection to one side and a hipped roof and single storey garage to the other. This pattern of development provides a certain rhythm in the street scene and contributes to generous spacing between the buildings at first floor level which adds to the distinctive character of the road.
4. The appeal property is located at the northern end of Brangwyn Way. It retains the characteristic front gable projection but it has been extended previously at first floor level and above the garage so that it has a gable end elevation close to the northern boundary rather than a hipped roof. However, because the adjacent property to the north is set on a bend and in a large plot, it is viewed somewhat separately from others in Brangwyn Way and the distance to the appeal property remains substantial.
5. The appeal property also has a single storey extension to the south side adjacent to the boundary with number 29 Brangwyn Way. Whilst number 29

- has a single storey garage adjacent to this boundary, it has a hipped roof to the main part of the house and thus at present, there is also a spacious relationship between these two properties at first floor level as is characteristic of the road.
6. The proposed development would add a first floor extension above the existing single storey extension to the south side of the appeal property. It would be set in from the front and rear elevations of the existing extension (and main house) and the roof would have a lowered ridge height and minimal overhangs. The roof would appear to be hipped in each elevation but it would have a flat top. I understand that the dimensions of the extension have been reduced to seek to address the Council's reasons for refusing a previous scheme and that it is proposed to construct and finish it with high quality materials which would match those used on the host dwelling.
 7. However, taken together with the previous extension to the north side, the present proposal would further detract from the characteristic appearance of the building by lengthening the façade and adding an incongruous roof form beyond the projecting gable. Whilst the scale of the extension relative to the host property might be acceptable if it were viewed in isolation, when viewed in the context of the wider street scene, the enlarged building would appear overly-large on the plot and would disrupt the characteristic rhythm of the buildings.
 8. Furthermore, while the space between the appeal property and number 29 would remain relatively open given the hipped roof form of the latter property, I am sympathetic to the Council's suggestion that the existing spacious relationship would be harmed were the neighbouring property to be similarly extended. In this respect, I have taken account of the photographs provided by the appellant which highlight the proximity of single storey and two storey extensions to other properties in the vicinity to their boundaries.
 9. I note that third parties have suggested that the photographs were taken in Brangwyn Avenue rather than in Brangwyn Way, but I observed that they do in fact show properties in both roads. Nonetheless, I do not consider that the presence of these other extensions has either eroded the distinctive character of the road to the extent that it is no longer important, or that they justify the harm that would be caused by the current proposal.
 10. For the reasons above, I conclude that the proposed development would be harmful to the character and appearance of the existing dwelling and the surrounding area. It would therefore be contrary to Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan 2005, which, amongst other things, require development to make a positive contribution to the visual quality of the environment and to take account of local characteristics including the space around buildings.

Living Conditions

11. The proposed extension would face the northern side elevation of number 29 Brangwyn Way, which includes a bedroom window and landing window. The enlarged appeal property would be closer to these windows and therefore the existing outlook from them would change to some extent. However, the relationship would not be so close as to be overbearing or to significantly reduce the amount of daylight available to the rooms. Similarly, because the

extension would be to the north of the windows, its effect on direct sunlight would be minimal for the majority of the day.

12. I recognise that the effects of the extension would be enhanced a little because the appeal property is sited on slightly higher ground, but I do not consider that they would be significantly detrimental to the living conditions of the neighbouring occupiers. As such, I do not consider that the proposal would conflict with Policy QD27 of the Brighton and Hove Local Plan 2005, which seeks to prevent loss of amenity for adjacent residents. However, this does not outweigh by findings in relation to character and appearance.

Other Matters

13. In reaching my decision, I have taken account of other concerns raised by third parties, including drainage and the detail of previous work carried out to the appeal property, but they do not add to my reasons for dismissing the appeal.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Louise Phillips

INSPECTOR