
Appeal Decision

Site visit made on 6 January 2014

by L Gibbons BA (Hons) MRTPI

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

Decision date: 3 March 2014

Appeal Ref: APP/Q1445/A/13/2205378

Beacon Mill, Nevill Road, Rottingdean, Brighton BN2 7HG

- 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 Helen Byrne against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02327, dated 4 July 2013, was refused by notice dated 5 September 2013.
 - The development proposed is the remodelling of an existing bungalow to create a two storey house (resubmission of application BH2013/00674).
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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 surrounding area, including the South Downs National Park and the setting of the nearby Rottingdean Conservation Area; and the effect on the living conditions of the occupiers of Nos 50 and 52 Nevill Road in respect of privacy and outlook.

Reasons

3. The appeal property is a detached bungalow located behind No 50 Nevill Road. The bungalow is simply designed and is much smaller in scale than the two storey houses on Nevill Road. The appellant submits that the appeal property is an incongruous feature in the area. However, whilst the bungalow is of a different design it seems to be a very well established part of the character of the surrounding area.
4. Whilst the appeal property is only a single storey structure, due to its position near the top of a hill it is very prominent in the landscape and is visible from a number of locations, including the adjacent South Downs National Park and Beacon Hill Nature Reserve. The bungalow is also highly visible from Sheep Walk which is a short but wide road with broad grass verges that provides public access to the National Park. The dwelling can also be seen when within the National Park from Rottingdean Windmill, although due to its relatively low roof, it is less prominent in the skyline than the properties on Nevill Road.
5. Sheep Walk separates the appeal property from Rottingdean Conservation Area by a short distance. The Council's Conservation Area Character Statement

refers to the historic core of Rottingdean village which retains medieval street patterns and has a very close relationship with the surrounding downland areas. In the vicinity of the appeal site, the Conservation Area is very open and consists of allotments and rear gardens of properties in the historic centre. It provides views from Sheep Walk east towards the historic centre of the village.

6. The bungalow has a simple pitched roof and a relatively plain appearance. The proposal would add an additional floor, and whilst the new ridge height would be lower than that of a previously proposed extension, the increased height would result in the property being significantly more prominent than at present. The addition of dormers and a large projecting gable feature at the front and a two storey gabled extension on the north elevation would also be very noticeable, and would add considerably to the bulk of the property. This would render the building a prominent and unduly dominant and intrusive structure when viewed from the south on Sheep Walk towards the National Park and when within the Park close to the bungalow. The proposed dormer windows on the west elevation would also be prominent and add to the mass of the building.
7. The National Planning Policy Framework (the Framework) confirms that great weight should be given to conserving landscape and scenic beauty in National Parks. The proposed increase in the scale and form of the appeal property would result in a highly visible and dominant structure in this sensitive location on the edge of the National Park.
8. Although the existing property is noticeable in long views looking south-west from the Conservation Area, due to its current size and height it does not dominate the view. However, the proposed increase in height and bulk would result in the dwelling being much more visible when viewed across the open the allotments and gardens in this part of the Conservation Area. It would also be more of a prominent feature than the existing property from the north end of Sheep Walk, where the views open out to the Conservation Area to the east. It would therefore have a detrimental effect on the setting of the Conservation Area.
9. It has been put to me that the proposed increase in the size of the dwelling and use of materials would be appropriate in relation to the scale and nature of the surrounding properties and that the majority of the proposed development is restricted to the current footprint. Whilst I agree that the appeal proposal would be of a similar scale to the properties along Nevill Road, nevertheless it would be out of keeping with the character of the area to the north and east of the appeal site.
10. From the open area to the north, the properties along Nevill Road are visible against the skyline but are set back from the boundary by relatively long gardens. The proposed increase in the roof height of the property would not break the ridgeline created of dwellings on Nevill Road. There is also a restricted view of the property in between Nos 50 and 52 Nevill Road with only a small part of its roof and conservatory visible. Although there would be more of the property visible as a result of the appeal proposal, I do not consider that this would be detrimental to the views to the north from Nevill Road. However these factors do not outweigh the harm I have found in respect of the visual impact of the development from other viewpoints.

11. My attention has been drawn to a hedge planting scheme for the northern boundary of the site. However, I have not been provided with any details of the scheme and therefore I cannot be certain that it would materially reduce the visual impact of the development when viewed from the north. In any case, it would be likely to be several years before the landscaping would provide the degree of maturity and screening to offset any harm that I have identified.
12. The appellant has referred to other properties in Nevill Road that have recently been extended and I have also been directed to other examples of new development close to the National Park and the Conservation Area. They include a new house on northern edge of the Beacon Hill Nature Reserve which I noted on my site visit. However, I am not aware of the full circumstances surrounding their construction and I am therefore unable to give these examples significant weight in considering the proposal before me.
13. I conclude that the appeal proposal would cause serious harm to the character and appearance of the surrounding area and the landscape and scenic beauty of the South Downs National Park. It would also compromise the setting of the nearby Conservation Area, the significance of which, as a designated heritage asset, should be safeguarded under the provisions of the Framework. It would conflict with Policies QD1, QD2, QD4, QD14, NC7, NC8 and HE6 of the Brighton Local Plan (LP) 2005, which amongst other things, seek to ensure new development demonstrates a high standard of design and does not detract from important views, including the setting of protected landscapes and Conservation Areas. It would also be contrary to the provisions of the Framework relating to the need for high quality design.

Living conditions

14. The appeal property lies to the north of No 50 Nevill Road, on slightly higher ground, and the south elevation of the proposed development would be relatively close to the common boundary. The garden of No 50 is much smaller than those of adjacent properties and is lower than the bungalow. As a result, the height and bulk of the proposed development would lead to an increased sense of enclosure when within viewed within the garden and the rooms to the rear of No 50. However, the proposal includes obscured glazing to windows and doors on the south elevation, and I am satisfied this would reduce the potential for overlooking and loss of privacy for the occupiers at No 50.
15. The proposal incorporates four dormer windows on the west elevation to the rear of the appeal property which would be higher than the boundary wall with the garden on No 52. Whilst the upper floors of the adjoining properties on this part of Nevill Road already have views across the garden, the view from the new dormer windows in the appeal property would be much more direct and closer towards the rear of the garden of No 52 than other the properties. This would result in a significant reduction in the current level of privacy which the occupiers of No 52 could expect to enjoy.
16. I conclude that the appeal proposal would cause harm to the living conditions of the occupiers of No 50 Nevill Road in respect of outlook and No 52 Nevill Road in respect of loss of privacy. It would conflict with Policies QD14 and QD27 of the LP which amongst other things seek to ensure development which does not result in a significant loss of privacy or amenity to neighbouring properties and occupiers. It would also be contrary to the provisions of the

Framework which requires development to provide a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

17. For the reasons given above and having regard to all other matters raised including some local support for the appeal proposal, the appeal is dismissed.

L Gibbons

INSPECTOR