



## Appeal Decision

Site visit made on 27 February 2014

by **C J Leigh BSC(HONS) MPHIL MRTPI**

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

Decision date: 7 March 2014

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**Appeal Ref: APP/Q1445/D/14/2212306**

**52 Greenways, Ovingdean, Brighton, BN2 7BL**

- 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 D Ainsworth against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/03553 was refused by notice dated 13 December 2013.
  - The development proposed is the erection of single storey rear extension.
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### Procedural matters

1. The content of the National Planning Practice Guidance has been considered but in light of the facts in this case the Guidance does not alter my conclusions.

### Decision

2. The appeal is dismissed.

### Main issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

4. No. 52 Greenways is one half of a pair of distinctive houses set on the edge of the village of Ovingdean. The pair of houses are located at the corner of Greenways and Beacon Hill, the latter being a steep hill. This gives long views towards the houses and means the front, rear and side elevations of the properties are very visible in the wider area. The attractive flint and brick cottages and the traditional, largely unaltered symmetrical design of the houses, are positive features in the character of the area.
5. The pair of houses sees a shared 'outrigger' projection on the party wall. There is a small side projection to the appeal property fronting Beacon Hill, with a steeply pitched roof. The proposed extension would see an extension rearward from this side projection to the depth of the existing outrigger, with a new infill extension with a low pitched roof that would be partly glazed. This infill extension would sit between the proposed and existing rear projections. The proposed extension would come forward of the existing building line of the main house as it fronts Beacon Hill.
6. The scale of these changes would be a significant alteration to the host property. The pitched roof rear extension, by projecting to the rear and forward of the existing side building line of the house, would appear excessive in scale

when viewed in the context of the scale of the host property and the depth of the existing rear outrigger. The infill extension would compound the harmful effect of the proposed development through its scale and design, whereby the roof would sit at an uncomfortable height in relation to the eaves of the existing and proposed rear projections.

7. I therefore agree with the Council that the resulting appearance of the proposed extensions would be over-dominant to the host property. Furthermore, the scale and design of the extensions would lead to a notable imbalance to the pair of properties, whose symmetry at present play an important role to the character and appearance of the surrounding area.
8. The appellant has provided illustrative drawings that are contended would be 'fall-back' positions achievable under permitted development rights. From what has been presented to me it appears that the dimensions on those schemes are in excess of what is permissible under the relevant regulations, or would require the system of prior notification to be followed and so cannot be conclusively said to be permitted development. In the absence of any confirmation that such schemes would in fact be lawful, I place very little weight on such schemes being a realistic fall-back position.
9. My findings above therefore remain unaltered and my conclusion on the main issue is that the proposed development would be harmful to the character and appearance of the surrounding area. This would be contrary to the objectives of Policy QD14 of the Brighton & Hove Local Plan 2005, which states that planning permission will only be granted for extensions to existing buildings if, amongst other matters, it is well designed and sited in relation to the property and the surrounding area. The proposals would also conflict with the Council's Supplementary Planning Document 12: Design Guide for Extensions and Alterations 2013, whose overall objective is to resist extensions that dominate or detract from the original building or character of an area. The appeal is dismissed accordingly.

**C J Leigh**

INSPECTOR