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# Appeal Decision

Site visit made on 7 April 2014

**by S J Papworth DipArch(Glos) RIBA**

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

**Decision date: 11 April 2014**

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**Appeal Ref: APP/Q1445/A/13/2204556**

**Sandringham Lodge, 23 Palmeira Avenue, Hove BN3 3GA**

- 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 Anstone Properties Ltd against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/00683, dated 27 February 2013, was refused by notice dated 6 June 2013.
  - The development proposed is partial roof extension for 2No three bedroom penthouse flats each with a private roof garden and car space.
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## Decision

1. I dismiss the appeal.

## Main Issue

2. This is the effect of the proposal on the character and appearance of the Palmeira Avenue area of Hove and on buildings and spaces within the Willett Estate and the Brunswick Town Conservation Areas.

## Reasons

3. The Council has drawn attention to policies of the Brighton and Hove Local Plan, QD1 seeks a high standard of design taking account of scale and height among other matters, QD2 requires development to emphasise and enhance the positive qualities of the local neighbourhood and cites height and scale, and Policy HE6 refers to development affecting the setting of conservation areas and sets out requirements to avoid harmful effects on townscape and roofscape. The appellant has detailed other policies which include support for a higher density than that typically found in the vicinity. Supplementary Planning Guidance on roof extensions details the requirement to respect the character of the building and the surroundings. There is emerging policy in the City Plan, which identifies a need for new homes and the efficient use of land in accessible locations. The National Planning Policy Framework states a presumption in favour of sustainable development and seeks to boost significantly the supply of housing.
4. The Government launched web based Planning Practice Guidance on 6 March 2014, after the receipt of representations to this appeal. The content of the Guidance has been considered, but in light of the facts of this case that content does not alter the conclusions reached.

5. Sandringham Lodge is mainly of brick with some rendered panels below or between certain windows, but the predominant character is of a solid building due to the repetitive detailing, both on each level, and between the levels. Each storey is similar in treatment and the top of the building is signified by an overhanging fascia to the flat roof. The architectural arrangement is less successful than that of the more recent Lansdowne Court to the north corner, but similar to the blocks to the west on the corners with Salisbury Road. The other two corners of the cross roads are occupied by the grounds of the Law Courts and a more fragmented arrangement of modern residential units to the south-east.
6. Turning to the effect on the conservation areas, the block presently has little impact on Brunswick Town as the Law Courts dominates the nearest point to the east and the block is not readily seen from further south on Palmeira Avenue. With regard to Willett Estate there is closer proximity at Salisbury Road but the continuous terrace within the designated area is dominant and the plain Sandringham Lodge has little effect, with trees between. The building does however form a gateway to the conservation area and frames glimpses of the terrace beyond. In all, the present arrangement of the block is, through its design, massing and detailing, not assertive in its surroundings, tending to be a background building.
7. The Council refer to the most recent building at 25 Palmeira Avenue as being designed to match and not exceed the height of those around it. It was clear on visiting a top-floor flat in Lansdowne Court also that eye level there equated to roof level of the appeal building, seemingly accounted for by a slight rise in level to the north. It is the commonality of height amongst different buildings that is one of the features locally, tying together the otherwise disparate styles and architectural treatments. The pitched roofed, red brick properties to the south and the modern buildings to the north, east and west are of similar overall heights.
8. The proposed glazed upper floor would change the present recessive background building into a more assertive feature, the height would be more than its neighbours and the use of glass, whilst being lightweight and dissimilar to the brickwork below, would be readily seen as reflections of bright sky, and would not blend into its surroundings. It would draw attention to the building and away from both the attractive buildings to the south on Palmiera Avenue and from the glimpses of the attractive terrace on Salisbury Road, within Willett Estate.
9. There would be some benefits; it would make good the poor visual termination of the walls; it would also replace the prominent lift-overrun with a lower version, subsumed more within the raised roofline. Looking solely at the building on its own, the roof extension would bring about some visual improvements. On that basis it is certainly more acceptable than the previous appeal scheme referred to as a continuation of the repetitive brick detailing to add a floor. Representation from occupiers have also referred to this being an acceptable way of overcoming the need for expensive roof repairs that would otherwise be a cost to those occupiers. The controlled removal of asbestos has also been mentioned as a benefit.
10. The Council also accept that there have been similar additions in other locations and it is the case that such lightweight additions, both visually and in

fact, can be a successful way of adding accommodation. However, the Local Plan policies listed by the Council require consideration of the locality and not just the building. That approach is endorsed in section 7 of the Framework which seeks good design which makes places better for people, and which respond to local character and history, reflecting the identity of local surroundings and materials.

11. There is a balance to be struck here, with additional dwellings being created in an accessible location, close to shops, leisure, work and transport, and where there is a need to find locations for more dwellings. The proposal would provide other benefits as set out. However, the proposal would upset the arrangement of building heights in the vicinity and this would cause harm to the appreciation of buildings to the south and to the entry to the Willett Estate Conservation Area. The building would change from being recessive in views and not competing with the more richly detailed older buildings, to vying with them for attention, to their detriment. On balance, the benefits of the scheme do not outweigh the adverse effects and the proposal does not reach the standard of design and effect on surroundings sought in the Development Plan policies and in the Framework. For the reasons given above it is concluded that the appeal should be dismissed.

*S J Papworth*

INSPECTOR