
Appeal Decision

Site visit made on 23 March 2015

by **Clive Tokley MRTPI**

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

Decision date: 29 April 2015

Appeal Ref: APP/Q1445/W/14/3001082

Sandringham Lodge, 23 Palmeira Avenue, Hove, East Sussex, BN3 3GA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Anstone Properties Ltd against Brighton and Hove City Council.
 - The application Ref BH2014/03130 is dated 17 September 2014.
 - The development proposed is a roof extension to provide two three-bedroom flats.
-

Application for Costs

1. An application for costs has been made by Anstone Properties Ltd against Brighton and Hove City Council. That application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area including the nearby Willett Estate and Brunswick Town Conservation Areas (CAs).

Reasons

4. Sandringham Lodge is one of a number of relatively modern purpose-built flat developments that lie between the older residential areas that have been designated CAs. The five storey flat-roofed appeal building is built at a lower level than the adjacent roads and the height of its main roof is roughly the same as the other nearby flat-roofed buildings which are mostly of four storeys. A lift motor room extends almost 3m above the main roof. It is set back from the two road frontages of the site but is visible in longer views from nearby streets.
 5. Sandringham Lodge has deep overhanging eaves and its buff/brown brickwork and wide windows reveal its mid C20 origins. It is in a prominent corner location; however being of a similar height to the surrounding buildings it
-

- blends with its surroundings. Sandringham Lodge is of limited architectural merit; nevertheless it is a building of its time that retains its original character.
6. The appellant describes the proposal as having a traditional form and I saw a number of older buildings in the area with dormer windows. However Sandringham Lodge is not a traditional building. I consider that the juxtaposition of the deep eaves and the proposed parapet wall with the mansard form above would create a confused and ungainly treatment at the top of the building. The proposed roof extension would be a bulky addition to the building and neither its mansard design with dormer windows nor its slate cladding would be characteristic of the host building or the other modern buildings in the area.
 7. The overhanging eaves and parapet walls would limit the extent to which the full bulk of the proposal would be seen from the pavements immediately outside the building; however it would be clearly in view from a short distance away and from neighbouring buildings. The increased height and bulk at roof level would be accentuated by the dark slates and the vertical surfaces of the dormer windows and the proposal would result in an assertive and incongruous building in this prominent location.
 8. I consider that as a result of its remoteness and the intervening buildings the proposal would have a very limited effect on the Brunswick Town CA. It would be closer to the Willett Estate CA and, from Salisbury Road (within the CA), it would be a bulky skyline feature that would be at odds with the character of the two flat-roofed buildings with deep eaves that currently mark the south side of Lansdowne Road. The proposal would also detract from views into the CA from the east and when looking in to or out from the CA its setting would be harmed. The harm to the significance of the heritage asset (the Willett Estate CA) would be less than substantial as indicated by the Framework.
 9. Aside from the CAs; I consider that as a result of its height and appearance the proposal would materially detract from the townscape and the distinctive character of the area. Most notably when viewed from the east along Lansdowne Road and from Palmeira Avenue where it would be seen in conjunction with the richly detailed adjacent houses to the south.
 10. The appellant draws attention to the lift motor room that would be incorporated within the proposal; however, whilst the motor room is an unfortunate feature of the building it is a small-scale incident on the skyline which reflects the materials and detailing of the main building. I consider that any benefit that may arise from screening the motor room would be heavily outweighed by the harm to the character and appearance of the area that would result from the proposal.
 11. The proposal would conflict with Policies QD1 and QD2 of the Brighton and Hove Local Plan (LP) which seek to ensure that all developments are well designed taking account of local characteristics such as the height, design and bulk of existing buildings. It would also conflict with Policy HE6 which indicates that the setting of conservation areas should not be adversely affected by development proposals.

Other matters.

12. Nearby residents have expressed concern about overlooking and overshadowing but taking account of the existing windows and the space between buildings I consider that the proposal would have no material effect on living conditions. Residents raise a number of other concerns ranging from the effect of the proposal on parking to the adequacy of the building's foundations but none of these matters have had a material effect on the outcome of the appeal.
13. A number of the occupiers of Sandringham Lodge support the proposal and I understand the benefits that would result from the building being re-roofed. However the proposal goes well beyond what would be necessary to re-roof the building.

Framework balance

14. The Council is unable to demonstrate a five year supply of housing land and therefore, as a consequence of paragraph 14 of the Framework, the proposal must be assessed against the policies of the Framework as a whole. The creation of new residential accommodation in a sustainable location would accord with one of the objectives of the Framework; however the Framework indicates that the dimensions of sustainability, including the protection and enhancing of the built and historic environment, should not be considered in isolation. The framework cautions against the imposition of architectural styles or tastes; however it indicates that it is proper to seek to promote or reinforce local distinctiveness.
15. I acknowledge the benefit that would arise from the creation of two flats in this sustainable location; however I consider that this benefit would not be sufficient to outweigh the harm to character and appearance of the area or the harm to the setting of the Willett Estate CA that I have identified.

Conclusion

16. I am conscious that this proposal is the third different approach that the appellant has taken to extend Sandringham Lodge. However for the reasons set out above I consider that, in common with its predecessors, the proposal would unacceptably upset the arrangement of building heights in the area. In addition it would be an incongruous addition that would fail to have regard to the character of the host building or its surroundings. I consider that the benefits from the proposal would be significantly outweighed by the harm that I have identified and taking account of all matters I have concluded that the appeal should not succeed.

Clive Tokley

INSPECTOR

