

Appeal Decision

Site visit made on 14 March 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 21 March 2016

Appeal Ref: APP/Q1445/D/15/3140140

37 Glen Rise, Brighton, East Sussex BN1 5LN

- 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 John Blankson against the decision of Brighton and Hove City Council.
 - The application Ref BH2015/02775 was refused by notice dated 22 September 2015.
 - The development proposed is 'removal of existing roof and erection of first floor accommodation including two storey side extension and single storey rear extension'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council in submitting its appeal questionnaire included extracts from Policy SS1 of the 'Brighton and Hove Submission City Plan Part One' (February 2013) (the emerging City Plan). Given the age of that document and in response to a question I have raised (via the Inspectorate's case office) about the emerging Local Plan's progress towards adoption, the Council has provided an internet link to the webpage for the City Plan. From this I have been able to establish that: the emerging City Plan is due to be adopted on 24 March 2016; and that the policies of the Brighton and Hove Local Plan 2005 (the Local Plan) cited in the Council's reasons for refusal will continue to be extant post the adoption of the emerging City Plan. I also note that wording for Policy SS1 contained within the submission version of the emerging City Plan has not been modified during the examination of the emerging plan.
3. Given the foregoing, and without produce to the parties, I am therefore content that I can determine this appeal having regard to the extant Local Plan policies cited in the reasons for refusal and that there is no need for me to seek the parties views about the imminent change to the Council's Development Plan.

Main Issues

4. The main issues are the effect of the development on: the character and appearance of the streetscene; and the living conditions for the occupiers of 39 Glen Rise (No 39), with particular regard to any overshadowing and sense of overbearing.
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Reasons

5. The appeal property (No 37) is a detached bungalow and is bounded by bungalows at Nos 35 and 39. The appeal development would involve the conversion of No 37 into a two storey dwelling and the works would include the construction of: a first floor with new roof; a two storey side extension; and a single storey rear extension.

Character and Appearance

6. No 37 is situated in the middle of a group of bungalows and chalet bungalows between Nos 31 to 45 that have ridge lines that progressively follow the downward slope towards Glen Rise's junction with Millcroft. The conversion of No 37 into a two storey property would mean that its roof line would appear markedly out of step with roofscape for this part of Glen Rise, having a ridge level that would be in the region of 3.1 metres higher than Nos 35 and 39¹. The resulting property, in my opinion because of its additional bulk and proximity to No 37's side boundaries, would have a domineering presence which would not be respectful of the streetscene within this part of Glen Rise.
7. While I recognise that No 27 is a house flanked by bungalows, No 27 is located within a part of Glen Rise where two storey properties are more prevalent and the street is more or less level. The downward slope in the street within the immediate vicinity of No 37 would mean that the eye would be drawn to what would be a higher, and thus discordant, element within the streetscene, namely a two storey house. I therefore find the circumstances of No 27 not to be comparable with the appeal development.
8. On this issue I therefore find that the appeal development would have a harmful appearance within the streetscene. Accordingly in this respect there would be conflict with the objectives of Policy QD14 of the Local Plan and the Council's design guide for extensions² (the SPD), insofar as the scale and height of the resulting property would be poorly related to its surroundings.

Living Conditions

9. The two storey side and single storey rear extensions would be only around one metre from the boundary between Nos 37 and 39. While some additional overshadowing to the rear of No 39 would be likely to arise, I find that this would at a scale that would be unobjectionable, given that No 39 is set with a relatively large plot. Allowing for the difference in the levels between Nos 37 and 39 and the extent of the development's rearward projection relative to No 39, I find that No 37 in its extended form would not have an overbearing presence for the occupiers of No 39 when viewed from: either that property's conservatory, given the obliqueness of the views involved; or its rear garden, given the size of that space.
10. On this issue I therefore conclude that the development's presence would not be harmful to the living conditions for the occupiers of No 39. Accordingly in this respect I find there to be no conflict with the objectives of Policy QD27 of the Local Plan, insofar as the living conditions for the occupiers of No 39 would be safeguarded.

¹ Based upon the dimensions quoted in the Council's officer report

² The Brighton and Hove City Council Design Guide for Extensions and Alterations Supplementary Planning Document SPD12 (June 2013)

Conclusions

11. While I have found that no unacceptable harm to the living conditions for the occupiers of No 39 would arise that matter does not outweigh my concerns regarding the harmful effects this development would have upon the character and appearance of the streetscene. I therefore conclude that this appeal should be dismissed.

Grahame Gould

INSPECTOR

