



---

## Appeal Decision

Site visit made on 28 September 2017

**by Lynne Evans BA MA MRTPI MRICS**

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

**Decision date: 6 October 2017**

---

### **Appeal Ref: APP/Q1445/D/17/3178668 50 Braemore Road, Hove BN3 4HB**

- 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 Chris Herron against the decision of Brighton & Hove City Council.
  - The application Ref: BH2017/01084 dated 28 March 2017 was refused by notice dated 31 May 2017.
  - The development proposed is rear and two storey side extension.
- 

### **Decision**

1. The appeal is dismissed.

### **Preliminary Matters**

2. The Council amplified the description of development to include all the constituent elements of the proposal. I have referred to the description as set out on the application form but have taken full account of the whole proposal, as set out on the submitted plans and the information before me.

### **Main Issue**

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and on the street scene.

### **Reasons**

4. The appeal property is a semi-detached property with a detached garage to the side, on the west side of Braemore Road, within a predominantly residential area. Most of the properties in the road date from a similar period and apart from a small number of detached properties, most are semi-detached with bay windows to ground and first floor above, the details of the bays varying along the pairs of semi-detached dwellings. There have been a number of alterations and additions to some of the properties, including at roof level.
5. Notwithstanding the various alterations which I saw on my site visit, and the examples to which the Appellant has drawn my attention, I do not consider that the guidance under Section 3.5 of the Council's Supplementary Planning Document 12: Design Guide for Extensions and Alterations (SPD) which indicates that *where the overwhelming majority of roofs to a terrace, semi-detached pair or group of buildings have been altered, the Council may permit additions that seek to recreate some sense of unity and coherence*, is applicable in this street and local area. The predominant pattern of

development within the street scene remains, in my view, the semi-detached pairs with their original bay front windows and hipped roofs.

6. The proposal would comprise a two storey rear and side extension, together with a single storey rear extension adjoining No.52. The roof would be extended and altered from the existing hip to a barn end extension over the extended property together with roof lights to create accommodation in the roof. The proposal also includes a raised patio at the rear with glass balustrade.
7. I have noted but do not agree with the Appellant's contention that the design, particularly at roof level and from the front, would create a visually balanced appearance with both No 52, which is the other 'half' of the pair as well as with No 48 which has a side dormer extension. The proposed side extension would be set back from the front and as a result I consider that there would be two distinct elements in the street scene; the barn end to the main roof would be more dominant in the street scene and the sloping roof to the extension would be set back. The extended ridge line to the main roof and change to a barn end roof would result in an unbalanced roof form with the adjoining 'half' of the pair, which would be visually intrusive in the street scene. Moreover, I consider that the relationship between the two elements of the proposal, particularly at roof level, would be visually discordant with an incongruous and contrived roofline, which would further detract from the character and appearance of the existing property and the street scene. I also agree with the Council that in the street scene it is primarily the symmetry between the two 'halves' of a semi-detached pair which contributes to the characteristic pattern of development.
8. I therefore consider that the proposed design would not respect the character or appearance of the existing property, or the semi-detached pair and would detract from the predominant pattern of development in the street scene. This would conflict with Policy QD14 of the Brighton and Hove Local Plan, and guidance within the SPD, as well as the National Planning Policy Framework and in particular Section 7, all of which seek a high quality of design which respects the local context and local distinctiveness.
9. The Appellant has referenced the permitted development fallback position, although there is no formal confirmation before me of this option. Furthermore, the Appellant has stated that such a solution would not meet the needs of the family. However, on the basis that such an option were both permissible and undertaken, I agree that this would change the form of the roof and unbalance the relationship with the adjoining 'half', but this does not persuade me to grant permission for the scheme before me, given the harm I have concluded.
10. I also appreciate that the proposed accommodation would improve the living accommodation for the benefit of the family but this does not outweigh the conclusion I have reached.

### **Other Considerations and Conclusion**

11. An objection has been received from the neighbouring residents at No 52 regarding the impact on their living conditions from loss of light, overlooking and loss of privacy. However, taking into account the scale, form and relationship of the proposed extension with the neighbouring property, as well as the proposed positioning of windows, I am satisfied that it would not result in any material harm to the living conditions of the adjoining neighbours. Moreover, were there no other matters of concern and planning permission

were to be granted, conditions could be imposed regarding the nature of the boundary treatments and to control the addition of subsequent openings to protect the living conditions of the neighbours. The Council also raised no concerns in these regards.

12. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be dismissed.

*L J Evans*

INSPECTOR

