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# Appeal Decision

Site visit made on 8 March 2018

by **R J Maile BSc FRICS**

an Inspector appointed by the Secretary of State

Decision date: 19th March 2018

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**Appeal Ref: APP/Q1445/D/18/3193965**

**The Lodge, Surrenden Park, Brighton, East Sussex, BN1 6XA.**

- 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 Mrs Nirmala Karri-Rai against the decision of Brighton & Hove City Council.
  - The application ref: BH2017/02347, dated 11 July 2017, was refused by notice dated 7 November 2017.
  - The development proposed is extension to increase the height of the building by one storey.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in this case are:
  - a) The effect of the development upon the appearance of the street scene.
  - b) The impact of the additional storey upon the living conditions of nearby residents.

## Reasons

- a) *Effect upon appearance of street scene.*
3. The subject property comprises a detached bungalow. It forms part of a post-war development to the north of the City and close to open Downland.
  4. This section of Surrenden Park is characterised by semi-detached houses of a matching Regency style design. The spaces between the semi-detached plots are typically two garage driveways in width. By contrast The Lodge, which is the only bungalow within the street, is sited closer to the house next door at 2 Surrenden Park.
  5. National policy at Chapter 7 (Requiring good design) of the National Planning Policy Framework ('the Framework') highlights the importance of good design and the need for development to relate to neighbouring buildings and the local area more generally. Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they

- should not stifle innovation. It is, however, proper to seek to promote or reinforce local distinctiveness.
6. The policies of the Development Plan largely reflect national policy in the Framework. Policy QD14 of the Local Plan<sup>1</sup> requires extensions and alterations to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.
  7. The height of the existing bungalow is well below that of 2 Surrenden Park next door, notwithstanding that The Lodge is sited on higher ground. The addition of an upper storey as proposed would raise the height of the roof above that of no. 2.
  8. Having regard to the sloping nature of this part of Surrenden Park, all of the houses on both sides of the road possess staggered roof lines. Indeed, the altered ridge height to The Lodge would complement its surroundings. This is illustrated on the submitted drawings and was noted during my site visit.
  9. The difference in roof line between The Lodge and 2 Surrenden Park would be less than that between nos. 4 and 6. This factor compensates for the narrower gap between the subject property and its immediate neighbour. The increased roof height would also reflect the taller building at 401 Ditchling Road, whose flank elevation faces Surrenden Park.
  10. The design of the extension is to a high standard and reflects the fenestration of The Lodge and the character of the adjacent dwellings.
  11. I have therefore found in relation to the first main issue that development as proposed would not be harmful to the established character, appearance and rhythm of the street scene and that it would accord with national policy at Chapter 7 of the Framework and Policy QD14 a., c. and d. of the Local Plan.
- b) Impact upon living conditions.*
12. Local Plan Policy QD14 states that in considering whether to grant planning permission for extensions to residential properties account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be. Extensions will only be permitted if the proposed development would not result in significant loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties.
  13. Having regard to the layout of The Lodge and its relationship with 401 Ditchling Road to the east and 1 Hollingbury Copse to the north, I am satisfied that the occupiers of those properties would not suffer any unacceptable loss of amenity arising from the proposal.
  14. There are no flank-facing windows to 2 Surrenden Park that would be affected by the scheme. The rear private garden of no. 2 is, however, at a lower level than the subject property.
  15. Whilst the eaves of The Lodge currently project only marginally above the line of the close boarded boundary fence between the two properties, the increased height of the west-facing elevation brought about by the additional storey

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<sup>1</sup> Brighton & Hove Local Plan 2005: Brighton & Hove Local Plan Policies Retained on Adoption of the Brighton & Hove City Plan Part One (March 2016).

would be far more visible to the occupants of 2 Surrenden Park. In particular, I note that The Lodge projects rearwards well beyond the back elevation of no 2. As such, the rearmost part of the side elevation with its substantially increased height would be highly prominent as viewed from within the rear garden of no. 2, projecting approximately 3m above the line of the close boarded fence.

16. For these reasons I have found upon the second main issue that development as proposed would have an unacceptably harmful impact upon the living conditions of existing and future occupiers of 2 Surrenden Park by reason of its overbearing appearance, contrary to the requirements of Policy QD14 of the Local Plan.

### **Conclusion**

17. Notwithstanding my finding upon the first main issue, my concerns as to the impact of the development upon the living conditions of the occupiers of 2 Surrenden Park are paramount.
18. Accordingly, and for the reasons given above, I have concluded that the appeal should fail.

*R. J. Maile*

INSPECTOR

