

# Appeal Decision

Site visit made on 23 July 2018

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 August 2018**

## **Appeal Ref: APP/Q1445/D/18/3202082**

### **15 Fairfield Gardens, Portslade, East Sussex BN41 2BJ**

- 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 B Hutton against the decision of Brighton & Hove City Council.
- The application, Ref. BH2018/00279, dated 29 January 2018, was refused by notice dated 10 April 2018.
- The development proposed is a first floor rear extension.

### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling.

### **Reasons**

3. The proposed first floor addition would be constructed to occupy part of the full width existing ground floor extension to the rear of the property. With a proposed flat roof just below the dwelling's eaves it would be read in conjunction with a hip to gable roof extension and associated flat roof dormer, a development the subject of a Lawful development Certificate.
4. I consider that both the bulk and flat roof of the extension in this appeal would neither be sympathetic nor subservient to the host dwelling and agree with the Council that together with the roof extensions the form and extent of the additions would be an indication of the property's overdevelopment.
5. I acknowledge that the extension would to all intents and purposes not be visible from the public realm in Fairfield Gardens. However, there would still be private views from nearby rear gardens, whilst the planning system includes a basic presumption that irrespective of its prominence the extension of buildings should be of an appropriate scale and good design. In this regard, page 9 of the Council's Design Guide for Extensions and Alterations SPD 2013 specifically discourages flat roofs for two storey extensions unless the host dwelling also has a flat roof.
6. I have noted the comments in the grounds of appeal that because of the roof extensions, a flat roof on this addition is the only one possible. However, this does not outweigh the normal requirement for extensions that are outside

permitted development tolerances to be of a size and design that is in harmony with the appearance of the existing building. Similarly, this requirement is not waived because the Council has not identified any harmful impact on the living conditions for the occupiers of the houses on either side of No. 15.

7. Overall, I conclude that the proposed extension would have a harmful effect on the character and appearance of the host dwelling. This would conflict with Policy QD14 of the Brighton & Hove City Plan Part One 2016 and Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2018.
8. For these reasons the appeal is dismissed.

*Martin Andrews*

INSPECTOR