
Appeal Decision

Site visit made on 30 January 2019

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 15th February 2019

Appeal Ref: APP/Q1445/W/18/3217570

4 The Park, Rottingdean, Brighton, BN2 7GQ

- 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 & Mrs Mark Knight against the decision of Brighton & Hove City Council.
 - The application Ref BH2018/0638, dated 17 August 2018, was refused by notice dated 12 November 2018.
 - The development proposed is proposed alterations and extensions to create a 3 bedroom house.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extensions to create a 3 bedroom house at 4 The Park, Rottingdean, Brighton, BN2 7GQ in accordance with the terms of the application Ref BH2018/0638, dated 17 August 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans and the submitted application form and Design & Access Statement.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1013-P-102-A, 1013-P-103-A, 1013-P-104-A, 1013-P-105-A, 1013-P-106-A, 1013-P-108-A& 1013-P-101-A.

Main issues

2. The main issues in this appeal are the effect of the proposed development on, firstly, the character and appearance of the surrounding residential area and, secondly, living conditions of adjoining occupiers.

Reasons

Character and appearance

3. The appeal property is a bungalow that fronts The Park. This is a distinctive circular layout of properties, but one that does not display uniformity in appearance or style save for dwellings fronting the road: there are bungalows, two storey houses, hipped roofs, gable roofs, dormers, and a notable slope across The Park that means buildings and roof heights also vary considerably. Many properties have been altered or extended. The Park remains an attractive
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residential area, but these features mean there is not a strong or consistent character.

4. The proposed works to No. 4 would see extensions and alterations at both ground floor and the roof. This would substantially alter the building to appear as a flat-roofed two storey property. The new design of the building as a result of these changes would be of high quality. The architects have had close regard to the principles of Modernist design that they seek to follow, and which is seen in the wider area: the shape and positioning of windows is carefully considered between the two floors, with an intervening low parapet at the front elevation and small loggia to the rear.
5. The height of the building would be lower than the adjoining neighbours and so, although appearing as a contrast, would not be dominant over those neighbours. As the appellant points out – and as I saw at my site visit – such a contrast between pitched roof properties and flat-roofed Modernist style properties is a character of the wider Rottingdean and Saltdean area. There would be adequate room retained to the boundaries of the site and between properties to avoid any cramped appearance to the area, given the context within which the appeal property sits.
6. The proposed development would therefore represent a high standard of design that is informed by the context of the site, and would enhance the character and appearance of the area. Thus, it would satisfy the objectives of Policy QD14 of the Brighton & Hove Local Plan 2005, which seek a high standard of design in relation to both extensions to properties and to the surrounding area.

Living conditions

7. The extended and altered property would adjoin the existing massing of the two adjoining dwellings. Due to the curve in The Park, the siting of those two dwellings mean their orientation is slightly away from No. 4. These matters, and the distance retained between the properties, mean that the proposed side extension and extension at roof level would not lead to a material change in outlook from the adjoining properties.
8. The design of the property at the rear would see new windows at ground and first floor. The orientation of the adjoining houses away from No. 4, the distance to boundaries and intervening buildings and landscaping mean that these windows would not lead to any appreciable degree of overlooking to adjacent houses. The distance to the Grand Crescent properties to the rear is sufficient to ensure no loss in privacy, even having regard to the change in levels.
9. On the second issue it is therefore concluded that the proposed development would not be harmful to living conditions, and so there would not be any conflict with Policies QD14 and QD27 of the Local Plan, which seek to protect the amenity of residents.

Conclusions and conditions

10. The appeal is therefore allowed. The Council have suggested a condition requiring matching materials, but the submitted drawings, application form and Design & Access Statement when read together indicate that these would not match the existing property. I have therefore modified the condition to refer to the details shown on the submitted information, to achieve a satisfactory

appearance to the development. I have also attached the suggested condition specifying the relevant drawings as this provides certainty.

C J Leigh

INSPECTOR

