



Appeal Decision

Site visit made on 2 February 2010

by **E C Grace** DipTP FRTPi FBEng PPIAAS

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

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Decision date:
18 February 2010

Appeal Ref: APP/Q1445/A/09/2110995 14 Princes Square, Hove BN3 4GE

- 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 Andy Rose against the decision of Brighton & Hove City Council.
- The application Ref BH2009/00526, dated 5/3/09, was refused by notice dated 7/5/09.
- The development proposed is single storey rear extension and re-cladding to existing pool building.

Decision

1. I allow the appeal, and grant planning permission for single storey rear extension and re-cladding to existing pool building at 14 Princes Square, Hove in accordance with the terms of the application, Ref BH2009/00526, dated 5/3/09, and the plans and documents submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Plans – Drawing Nos 8028/A.01/A; 8028/A.02; 8028/A.03; 08028/D.11; A08028/D.12; 08028/D.13.

Main Issues

2. The main issues in this case are whether the scale and design of the proposed development would; a) be sympathetic to the host building and b) preserve or enhance the character and appearance of the Conservation Area.

Reasons

3. The appeal property is a large two storey 7 bedroom house dating from the inter-war period. It occupies a substantial urban plot measuring approximately 20m wide by 70m deep and lies within the designated Pembroke and Princes Conservation Area. The house already has a single storey rear extension which houses the swimming pool and projects 14m into the garden from the rear façade of the main building.

4. The proposal would involve the erection of a further extension of the same depth and height and similar width, incorporating a study, utility room, plant and boiler room and garden workshop. A courtyard area between the two would accommodate a pavilion with fully glazed roof and outer façade that would project 8m from the rear wall of the house and contain a large kitchen/diner area.
 5. The swimming pool extension would be re-clad with tar stained oak slats, which would also be used on the new extension, and both would be provided with gently curved, low profile roofs clad in zinc coloured aluminium sheets with shallow south facing clerestories. The existing lean-to conservatory at the end of the swimming pool extension would be demolished and removed.
 6. The Council indicate that due to the height of the boundary walls/fences to either side and restrained height of the extension roofs, they do not consider the development would result in any significant harm to neighbouring occupiers due to loss of privacy, light or outlook. They also concede that the extensions would not be visible from the street scene and that in isolation the design of the extensions is considered to be acceptable. I do not disagree with any of those conclusions.
 7. It is apparent that the main concern the Council has is the cumulative impact that the extensions would have, indicating that when added to the existing pool building, they would cover an area of 222sqm compared with the footprint of the original house at 229sqm. As these proposals would effectively result in a doubling of its footprint, the Council consider it would harm the original form and appearance of the host building, which in turn they regard as neither preserving nor enhancing the character and appearance of the Conservation Area. They also appear apprehensive that this might establish a precedent.
 8. The appeal property has a substantial rear garden and even with these large extensions, an extensive open area would remain and I do not therefore regard the proposal as constituting over-development of the site. Indeed, the OS Map extract and aerial views submitted with the representations show that it has one of the largest plots in the locality and would retain more open garden and have less site coverage with buildings than many of the other dwellings in the vicinity. Therefore, I do not consider it would set a precedent and in any event each proposal should be assessed on its own merits.
 9. The extensions are at the rear of the property and would not be visible in the public domain. Hence, the main view of them would be by the building's own occupants. The proposed structure would mask the ground floor elevations of the original house, but the upper floors would still be visible. The Council assert that the house would appear over extended, but they do not indicate precisely what harm would arise or to whom. The house is not a Listed Building and although the extensions would be of a more modern style than the original, they are on the secondary elevation and the substantial first floor and roof would remain as dominant features, whereas the restrained detailing and height of the addition would ensure it is relatively understated despite its extensive ground cover. The extensions would also serve to redress the visual imbalance attributable to the swimming pool building on this elevation. Hence, I do not find the proposals would harm the appearance of the host building and the character and appearance of the Conservation Area would be preserved.
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10. For the reasons given above I conclude that the proposal would not contravene Policies QD14 and HE6 of the Brighton and Hove Local Plan and that the appeal should be allowed, subject to the two conditions suggested by the Council. In addition, I have attached a third condition indicating the development must be implemented in accordance with the submitted plans upon which this decision is based, in the interest of certainty.

Edward Grace

Inspector

