



Appeal Decision

Site visit made on 4 February 2013

by David Harmston FRICS DipTP MRTPI

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

Decision date: 7 February 2013

Appeal Ref: APP/Q1445/D/12/2188819

50 Addison Road, Hove, East Sussex BN3 1TP

- 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 Ms Angela Devas against the decision of Brighton & Hove City Council.
 - The application (Ref BH2012/02323) was refused by notice dated 11 September 2012.
 - The development proposed is the erection of a single-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey rear extension at 50 Addison Road, Hove, East Sussex BN3 1TP in accordance with the terms of the application (Ref BH2012/02323), dated 26 July 2012, subject to the following conditions:
 - (1) The development hereby permitted shall be commenced within three years of the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg Nos:- 1232/E02; 1232/E03; 1232/PO2 and 1232/P03.
 - (3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reasons

2. The appeal property is a Victorian, two-storey, terraced dwellinghouse (with an attic) situated within a densely developed residential neighbourhood of Hove characterised by the presence of long lines of similarly-designed terraced dwellinghouses set out on even building lines. The existing kitchen is located at the rear of the property on the ground floor of the two-storey rear projecting wing. The wing does not fill the full width of the plot but an open gap of about 1.4m exists between the eastern side of the building and the boundary wall. A similar arrangement exists at the adjacent property.
3. The proposed extension would fill this gap and would be positioned to the side of the existing structure. It would extend no further back into the plot than the outermost point of the existing building and would be about 5.1m in depth. On the boundary with No 48 Addison Road the height of the extension would be about 2.5m. With its sloping roof rising away from the boundary to

join the side of the two-storey rear wing to the property, its maximum height at that point would be about 3.4m. The boundary between the adjoining dwellings comprises a solid wall with trellising to a height of about 2.4m.

4. The main issue in this appeal is the effect of the development on the living conditions of the occupants of the adjoining property (No 48 Addison Road) by reason of any undue loss of light or overbearing impact. There are two windows in the western (side) elevation of No 48 Addison Road facing the appeal site and the location of the extension with a further window in the rear elevation of the property at a point where the main part of the building ends and the rear wing commences. It is the effect of the development on the amount of daylight reaching these windows and any overbearing impact that might be created which is the substance of the main issue in this appeal.
5. Bearing in mind the height of the existing boundary wall and that of the proposed extension at that point, and the way in which the slope of the roof to the extension would be away from the boundary, in my conclusion the impact of the development on the amenities of the occupants of No 48 Addison Road would be minimal. The amount of light reaching the windows in the side and rear of this property is already compromised by the design of the buildings with the two-storey rear wings thereto enclosing the open gap present between the opposing side elevations. In respect of the windows in the side elevation of No 48 Addison Road, a further window exists in its rear elevation.
6. Amongst other matters policy QD14 of the Brighton & Hove Local Plan states that extensions to existing buildings will only be permitted if they would not result in any significant loss of privacy, outlook, daylight or sunlight and amenity to neighbouring properties. In the case of this proposal I do not regard the effects of the development as being significant in any of these respects and the proposal therefore accords with that policy. Policy QD27 of the local plan states that permission for any development will not be granted where it would cause a material loss of amenity to adjacent residents, amongst other matters. Similarly, I do not consider that the development would cause any material loss of amenity to the adjoining residents in this instance, either by loss of light or overbearing impact, and the development is therefore compliant with this policy.
7. I shall therefore allow the appeal. As far as conditions are concerned, and apart from the statutory time duration of the permission, I have specified the approved drawings for the avoidance of doubt and in the interests of proper planning. It is necessary for the external finishes to be used in the construction of the extension to match those used in the existing building in the interests of visual amenity. I have considered everything else that has been raised in relation to this matter including the various references to other comparable developments in the local area. Each case falls to be considered on its own planning merits and I have determined this appeal in that way. Nothing that I have seen or read is of sufficient weight to alter my conclusions above and the reasons for them.

David Harmston

Inspector