



Appeal Decision

Site visit made on 10 June 2013

by Simon Miles BA(Hons) MSc MRTPI

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

Decision date: 17 June 2013

Appeal Ref: APP/Q1445/D/13/2197581

23 Graham Avenue, Patcham, Brighton BN1 8HA

- 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 Matthew Johns against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00019, dated 2 January 2013, was refused by notice dated 28 February 2013.
 - The development proposed is first floor side extension and rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension and rear conservatory at 23 Graham Avenue, Patcham, Brighton BN1 8HA in accordance with the terms of the application Ref BH2013/00019, dated 2 January 2013, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 617/01 and 617/02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

3. This is the effect of the proposed development on the character and appearance of the existing dwelling and the surrounding area.

Reasons

4. The appeal relates to 23 Graham Avenue, a two storey semi-detached property. Existing development in the road has a pleasant spacious character by virtue of the setback of the dwellings and the good spacing between the buildings, particularly at first floor level. Notwithstanding various alterations and additions to many of the properties, the street scene retains a pleasing impression of spaciousness.
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5. However, the appeal property, because of its position on a long sweeping bend in the road, benefits from a particularly spacious setting out across its frontage. In view of this, and the extent to which the proposed first floor extension would be set in from the side boundary, sufficient space would be retained to the side to preserve an acceptable degree of spaciousness. Although not as great as the Council would wish, a small front setback also serves to render the proposed extension subservient to the main ridgeline. Although somewhat wide in relation to the original dwelling, the new first floor element would not appear as a over-dominant or disproportionate addition.
6. Overall, and given that the property and its adjoining semi-detached neighbour have already lost their original symmetry, I find that this element of the proposal would harmonise with the original dwelling and the street scene. The proposed rear conservatory is not opposed by the Council and is capable of being comfortably accommodated without adversely affecting its surroundings.
7. This leads me to conclude that the proposed development would cause no significant harm to the character and appearance of the existing dwelling and the surrounding area. It follows that saved Policies QD2 and QD14 of the adopted Brighton & Hove Local Plan 2005 and the Council's adopted Supplementary Planning Guidance Note 1 *Roof Alterations & Extensions* are satisfied insofar as these seek to ensure that extensions and alterations are well designed and sympathetic in relation to the host property and the locality. The proposal further complies with the National Planning Policy Framework to the extent that great importance is attached to the design of the built environment.
8. In conclusion, I find that there are no compelling or over-riding reasons why the appeal should not succeed. In addition to the standard time limit, it is necessary that the development should be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. A further condition is justified in relation to materials in the interests of the character and appearance of the area.

Simon Miles

INSPECTOR