



Appeal Decision

Site visit made on 12 November 2014

by **Ray Wright** BA(Hons) DipTP MRTPI

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

Decision date: 21 November 2014

Appeal Ref: APP/Q1445/D/14/2227226 **16 Old Farm Road, Brighton BN1 8HE**

- 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 Laurence Taylor against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02339 was refused by notice dated 8 September 2014.
 - The development proposed is 'part demolition of existing garage. Replace existing conservatory with single storey rear extension and new single storey side extension.'
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Decision

1. The appeal is allowed and planning permission is granted for part demolition of existing garage, replacement of existing conservatory with a single storey rear extension and new single storey side extension at 16 Old Farm Road, Brighton BN1 8HE in accordance with the terms of the application, Ref BH2014/02339, dated 14 July 2014, 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: Proposed GF Plan 02, Proposed Elevations 06, Proposed Roof Plan 04 and Location Plan 07.
 - 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

2. The main issue in this case is the effect of the extension on the appearance of the host property and the wider effect on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling which currently has a rear conservatory and single storey kitchen addition. A detached garage is located on the east boundary.
4. The Council's 'spd 12 - design guide for extensions and alterations' (SPD) indicates that side extensions should normally be no wider than half the frontage width of the host building and that rear extensions should normally

align with the main side wall of the house. The appeal scheme does not fully meet these requirements.

5. However, as highlighted by the appellant, part of the overall rear extension incorporates a section of building which forms part of the original layout of the house. The appeal scheme, therefore, does not form a typical full width addition at the rear of the property as envisaged in the SPD. The rear extension would also replace the existing conservatory. As proposed, it would suitably align in both depth and height with the extension at the rear of the attached dwelling and consequently blend successfully with the existing building and its neighbour.
6. In addition, the side extension, although around 0.75 metres wider than envisaged by the SPD, would be located behind the existing side garage to be retained. Therefore, the extension although projecting around 4.0 metres beyond the side wall of the main dwelling would be largely unseen from the road frontage.
7. While more obvious in views from the rear of neighbouring properties and their gardens, the impact of the alterations would be limited in the context of the existing extensive landscaped rear garden at the property. In addition, the immediately adjoining property at 16A is on a significantly raised ground level reducing any visual impact from the proposed development.
8. Overall, the scheme would not unduly disturb the symmetry of the pair of dwellings either from views from the road or from adjoining rear gardens. The extensions, as proposed, would remain subordinate and be readily assimilated into the form of this semi-detached pair of houses and the wider street scene.
9. I conclude that the scheme would cause no undue harm to the character and appearance of the property or wider area. As such, it is not contrary to design requirements set out in the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or the SPD.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

11. The Council have put forward two conditions should this appeal succeed. The standard commencement condition is required. Also to ensure the extension satisfactorily relates to the existing house, a condition requiring matching materials should be imposed. A condition, referring to the relevant plans, is also required for the avoidance of doubt and in the interests of proper planning.

Ray Wright

INSPECTOR