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## 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: 1 December 2014

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**Appeal Ref: APP/Q1445/D/14/2226535**  
**40 Park Road, Brighton BN1 9AB**

- 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 Mark Packham against the decision of Brighton & Hove City Council.
  - The application Ref BH2014/02497 was refused by notice dated 19 September 2014.
  - The development proposed is a 'single storey rear extension.'
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 40 Park Road, Brighton BN1 9AB in accordance with the terms of the application, Ref BH2014/02497, dated 24 July 2014, and the plans submitted with it.

### Procedural Matter

2. The site visit confirmed that the rear extension has been substantially completed and I have dealt with the appeal on this basis.

### Main issue

3. The main issue in this case is the effect on the appearance of the main dwelling and on the street scene.

### Reasons

4. The appeal relates to a two storey semi-detached house located on the north side of Park Road. It has a detached garage building to its rear.
5. The extension, the subject of this appeal, is deeper than specified within the Council's 'spd 12 - design guide for extensions and alterations' which indicates that single storey rear extensions should not normally be deeper than half the depth of the main body of the house. However, the extension aligns with the side wall of the main dwelling and the ridge of the roof generally aligns with the eaves of the first floor windows, so that further conflict with the SPD is limited.
6. The house is on rising ground, so the attached property at no 42 Park Road and houses to the rear have floor levels set at a higher level. The extension is set within this sloping ground, significantly reducing its perceived scale and its visual impact from adjoining gardens. Its affect is further reduced due to the attached dwelling also having a substantial single storey rear extension.

7. While the pitch of the roof increases the bulk of the extension, due to the fall in levels, it has a low eaves line on the boundary with the attached property at 42 Park Road and, overall, it remains subservient to the main dwelling.
8. From the road frontage, although the east side elevation of the extension is clearly visible in front of the garage, it has a very limited effect on the wider area. The use of external brickwork very similar to the original aids the assimilation of the design with the main property.
9. Having regard to the specific circumstances of this site, the extension does not form an over dominant feature and does not unduly change the original form of the house.
10. I conclude the development suitably relates to the existing property and causes no undue harm to the appearance of the existing property or wider street scene. As such, it does not unacceptably conflict with the design and character requirements of the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or the SPD.

### **Conclusion**

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

### **Conditions**

12. The Council put forward two conditions should the appeal succeed. However, the standard commencement condition is unnecessary as the extension has already been constructed. Similarly, a condition on matching materials is not appropriate due to the advanced state of the works. The brickwork used suitably relates to the original building and although the roof tiles appear different to the main house they are acceptable in appearance.

*Ray Wright*

INSPECTOR