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# Appeal Decision

Site visit made on 29 June 2015

**by Les Greenwood MRTPI**

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

Decision date: 24 July 2015

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**Appeal Ref: APP/Q1445/W/15/3005715**

**12 Preston Park Avenue, Brighton BN1 6HJ**

- 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 H Fazakerley against the decision of Brighton and Hove City Council.
  - The application Ref BH2014/03679, dated 31 October 2014, was refused by notice dated 31 December 2014.
  - The development proposed is the erection of a single storey rear extension and internal alterations to the flat's layout.
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## Preliminary matter

1. The submitted plans show an enlarged lightwell to the front of the proposed extension, but this is not referred to in the appeal application. Both sides agreed at the site visit that no changes are proposed to the lightwell.

## Decision

2. The appeal is allowed and planning permission is granted for a single storey rear extension and internal alterations to the flat's layout in accordance with the terms of the application Ref BH2014/03679, dated 31 October 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: 12E02, 12P01, 12P02 and 12P03, with the exception that this decision shall not be construed as granting permission for alterations to the existing lightwell on the northern side of the building.
    - 3) The external finishes of the extension hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
    - 4) The windows on the western elevation of the extension hereby permitted shall be painted timber sash windows.
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### **Main issue**

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the building and the Preston Park Conservation Area.

### **Reasons**

4. Preston Park Avenue is an attractive street, with Victorian villas and modern blocks of flats on one side and a park on the other. No 21 is a typical villa, a substantial semi-detached red brick building, now split into flats. It has a single storey brick and render flat roof extension to the rear which projects beyond the main side wall, behind the lightwell. It also has a detached garage building further to the rear, next to the side boundary.
5. The proposal would replace the existing rear extension with a new flat roofed extension, projecting slightly further to the side. The Council's Supplementary Planning Document 12 *Design Guide for Residential Extensions* (SPD12) advises that rear extensions should not normally extend beyond the main side walls of the building.
6. In this case, however, the amount of extra projection to the side would be marginal. The proposed extension would replace a poor quality existing extension, would be small in scale compared to the main building and would be appropriately detailed, including sash windows at the front. It would be seen against the backdrop of the existing garage, so would not appear to spread built development. Other buildings on the street also have rear extensions projecting to the side, so this proposal would not be out of character with the locality.
7. I conclude that the proposal would represent an improvement in the quality of the building and would preserve the character and appearance of the conservation area. It therefore accords with the aims of SPD12 and Brighton and Hove Local Plan Policies QD14 and HE6, to ensure that extensions in conservation areas are of a high standard of design and detailing, reflecting the scale and character or appearance of the area. It furthermore accords with the National Planning Policy Framework's emphasis on securing high quality design that sustains and enhances the significance of heritage assets.
8. I impose a condition listing the approved plans and clarifying the position regarding the lightwell, for the avoidance of doubt and in the interest of proper planning. The use of matching materials and sash windows is necessary in order to protect the character and appearance of the area. The Council has also suggested conditions regarding window details and external pipework. I am not convinced that this degree of control is necessary for this small scale extension, set well back from the road.
9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

*Les Greenwood*

INSPECTOR