

Appeal Decisions

Site visit made on 2 August 2016

by **S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

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

Decision date: 5th August 2016

Appeal Ref: APP/Q1445/D/16/3151258

22 Windmill Close, Hove BN3 7LJ

- 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 J Scrase against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/00106, dated 12 January 2016, was refused by notice dated 23 March 2016.
 - The development proposed is described as 'proposed single storey side extension works, garage alterations, external landscaping changes to suit and internal modifications with new glazing throughout and external decorative changes to the main building'.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey rear extension, alterations to landscaping front and rear, revised fenestration and other associated works at 22 Windmill Close, Hove BN3 7LJ, in accordance with the application Ref: BH2016/00106, dated 12 January 2016, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 257WC22/01, 02, 03, 04 ,05.
 - 4) The rooms in the side extension of No 22 Windmill Way shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling.

Procedural Matter

2. The Council's decision notice, the appeal form and the appellant's statement all refer to the proposal as: 'erection of single storey rear extension, alterations to landscaping front and rear, revised fenestration and other associated works'. As this is an accurate and adequate description of the scheme, I have used it in this decision.
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Main Issue

3. The main issue is the effect of the proposed extensions on the character and appearance of the host property.

Reasons

4. Windmill Close is a cul-de-sac characterised by a mix of semi-detached two-storey houses and detached bungalows set in well-proportioned plots. The properties date from the mid-20th century. No 22 is a semi that is paired with No 21; both have substantial side facing dormer windows in their catslide roofs. There is a garage which is well set back from the front elevation and is sited along the shared boundary with No 23. Set further back is a utility room which has been constructed to link the garage with the dwelling. The front entrance to the house is in the side elevation. To the rear there is a glazed conservatory which is close to the shared boundary with No 21. The garage/playroom alongside the boundary with No 23 extends beyond the rear elevation of the main dwelling and its existing extensions.
5. The proposal would replace the existing conservatory with a single-storey extension that would occupy almost the full width of the original dwelling. This would increase the overall floor area by approximately 12m². It would be set in from the shared boundary with No 21 and would not project so far from the rear elevation as the existing conservatory. The utility room would be reconstructed on its current footprint. The garage/playroom would be more effectively integrated into the house with the addition of French doors in the rear elevation.
6. I accept that the cumulative additional floor area arising from the existing and proposed extensions would be significant. However, the bulk and style of the rear extension in this scheme would be subservient to the host property. The enlargement would not project more than half the depth of the original house or occupy more than half the depth of the garden. It would neither project beyond the original flank elevation nor be seen from the public realm. The distances between No 22 and the surrounding properties, combined with its single-storey height, would ensure that it would not appear intrusive or dominant in this context. On the contrary, the proposal would improve or remove the existing unsympathetic, poor quality extensions and would reduce the cluttered appearance at the rear of the existing house.
7. The Council has not raised any concerns in relation to the infill extension at the front of the house which would provide an enlarged hallway from a single front entrance. The revised elevation for the garage and the newly sited front door would not protrude beyond the front elevation. These amendments would resolve the rather disjointed appearance to the front of the house and in this respect would be acceptable.
8. Taking all these factors into consideration I conclude that the proposal would not be harmful to the character and appearance of the host property. It would therefore comply with saved Policy QD14 of the Brighton and Hove Local Plan which requires development, amongst other things, to respect its setting. It would also accord with the relevant advice set out in the Council's Supplementary Planning Document 12: *Design Guide for Extensions and Alterations*.

Other Matter

9. I note that the Council expressed concerns about the layout of the utility room, bedroom and shower-room, presumably because of the risk of this part of the house being capable of being used as accommodation independent of the main house. However, the appellant stated that there would be no intention for this area to be used as a separate dwelling, but it would be used by relatives when they come to stay with the family. I have therefore imposed a condition to ensure that the accommodation within the existing and proposed side extension is only used as ancillary to the dwelling.

Conditions

10. In addition to conditions relating to the use of the side extension and the standard time limit, it is necessary to impose a materials condition in the interests of the appearance of the development. A condition specifying the plans is required for the avoidance of doubt and in the interests of proper planning.

Conclusion

11. For the reasons set out above I conclude that the appeal should be allowed, subject to conditions.

Sheila Holden

INSPECTOR

