

---

## Appeal Decision

Site visit made on 21 March 2017

**by John D Allan BA(Hons) BTP MRTPI**

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

**Decision date: 3<sup>rd</sup> April 2017**

---

**Appeal Ref: APP/Q1445/D/17/3166417**  
**16 Welbeck Avenue, Hove, BN3 4JL**

- 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 Heal against the decision of Brighton & Hove City Council.
  - The application Ref BH2016/05110, dated 17 August 2016, was refused by notice dated 7 November 2016.
  - The development proposed is to replace garage with the erection of a two-storey extension.
- 

### Decision

1. The appeal is allowed and planning permission is granted to replace garage with the erection of a two-storey extension at 16 Welbeck Avenue, Hove, BN3 4JL in accordance with the terms of the application, Ref BH2016/05110, dated 17 August 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 development hereby permitted shall be carried out in accordance with the following approved plan: Drg No 350.13.03a.
  - 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 is the effect of the proposal upon the character and appearance of 16 Welbeck Avenue and the street scene.

### Reasons

3. The appeal property is a two-storey, semi-detached dwelling within a residential area. Welbeck Avenue is typical of many similar streets in the locality which run perpendicular to the coastline and which consist of broadly similar aged properties. The majority of these are semi-detached with various
-

- repeat designs but which are interspersed with some alternative dwelling types and appearances.
4. No 16 has previously been extended, including with a hip to gable side roof addition and a rear dormer window. As a result of these works to the roof, the symmetrical form of the original semi-detached pair has already been lost. This is not atypical for the area where many properties have been individually altered or extended in a variety of ways.
  5. The Council adopted its *Design Guide for Extensions and Alterations* as a Supplementary Planning Document (SPD) in June 2013. Part 3.2 of the SPD deals with side extensions and recognises care has to be taken to ensure that they assimilate well with the host building and the street scene. In relation to two-storey side extensions it sets out five design principles that are given as guidance to ensure that the aims and objectives of the SPD are met.
  6. In this instance the two-storey extension would replace an existing side attached garage and would be built over existing ground floor space behind it, with a further slight projection beyond the original rear wall of the dwelling. The side extension would be recessed behind the main front wall of the dwelling by 500mm, in accord with the SPD's advice, and would continue the gabled form of the existing dwelling, but with a marginally lower ridge. Although this would not reflect the original roof form of the dwelling, in this aspect the proposal would have no further impact upon the existing symmetry of the semi-detached pair. The width of the extension would be reasonably modest and overall I am satisfied that it would appear as an appropriately subservient addition that would allow the existing form of the host dwelling to remain clearly observed.
  7. There is a gap between the flank wall of the garage and the site's boundary with No 18 Welbeck Avenue that would be maintained. This would meet the SPD's required minimum distance of 1m and there is nothing before me to show that the plot should be considered to be so spacious that it is one where the SPD suggests a greater separation may be more appropriate. The separation would ensure that there would be no physical terracing with the neighbouring property and I am satisfied that the proposal would not 'over-extend' the existing building in any disproportionate or unbalanced manner. Moreover, the gap that would be maintained would reflect similar spacing between some other properties along Welbeck Avenue, including a few I saw where such gaps are part of the original layout between neighbouring properties and which serve to inform the rhythm and appearance of the wider street scene.
  8. The design, detailing, and materials used in the extension would appropriately match those of the main building and no side windows are proposed that would impact upon the neighbours' living conditions with regard to privacy.
  9. Considering all of this, I can detect no conflict with the SPD's guiding design principles as they relate to two-storey side extensions and overall I find that the proposal would appear well related to the form of No 16 without harm to the rhythm and appearance of the street scene. As such, there would be no conflict with Policy QD14 of the Brighton and Hove Local Plan 2005, which deals with alterations and extensions.

*Other matters*

10. I have noted some concern over the appearance of the extension's projection to the rear. However, it would have a pitched roof that would mimic a number of other rear extensions that were plainly visible to me from the rear garden of the appeal property. I accept that these may be extensions projecting from the back of the original property rather than from a side extension. However, this does not alter my view that the form of the proposal is acceptable.
11. I am aware of the planning history to the appeal property but my decision is based upon the planning merits of the proposal that is before me.
12. There is no evidence before me to suggest that the property is not lawfully occupied as a dwelling house or that the proposal would result in additional parking along Welbeck Avenue that either could not be accommodated or else which would cause detriment to conditions of highway safety or residential amenity.
13. I recognise that the extension would fill part of the gap between Nos 16 and 18, but I am satisfied that the proposal would not be harmful to the street scene for reasons that are given above. Given the separation distance with properties on the opposite side of Welbeck Avenue, and those to the rear along Wish Road, there would be no impact upon any nearby occupiers in terms of overshadowing or visual intrusion.
14. The outlook from the rear facing first floor window to the extension would afford views only obliquely over the neighbouring garden and in a form typical for any neighbouring property in an urban environment.

**Conditions**

15. I have imposed a condition specifying the relevant drawing as this provides certainty. In order to safeguard the character and appearance of the area it is necessary to ensure that the new works are carried out in materials to match the existing.

**Conclusion**

16. For the reasons given I conclude that there would be no harm to the character or appearance of No 16 Welbeck Avenue or to the street scene. Accordingly, and in the absence of any other conflict with the development plan, the appeal is allowed.

*John D Allan*

INSPECTOR

