



Appeal Decision

Site visit made on 6 June 2017

by **J Ayres BA Hons, Solicitor**

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

Decision date: 19th June 2017

Appeal Ref: APP/Q1445/D/17/3174451

12 Cranleigh Avenue, Rottingdean, Brighton BN2 7GT

- 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 Mrs Lorraine Brown against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/02179, dated 11 June 2016, was refused by notice dated 2 February 2017.
 - The development proposed is the erection of a two storey flat roofed rear extension to an existing two storey detached house, conversion of an existing garage to form a new bedroom at first floor with a dormer to the rear and including connecting the existing garage to the existing house. Raise the existing flat roof to the north elevation by 500mm. Provide four new Velux roof lights to the front of the house and garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey rear extension incorporating roof alterations, including installation of rooflights. Conversion of existing garage to form habitable space at first floor level, extension of garage to existing dwelling with revised fenestration and associated works at 12 Cranleigh Avenue, Rottingdean, Brighton BN2 7GT in accordance with the terms of the application, Ref BH2016/02179, dated 11 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan; Location Plan; Floor plans and elevations; MCA/CA/003 Rev D; MCA/CA/005 and MCA/CA/006.
 - 3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
 - 4) The proposed windows in the north elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Procedural Matter

2. The application was described in the application form as a proposed two storey flat roofed rear extension to an existing two storey detached house, conversion of an existing garage to form a new bedroom at first floor with a dormer to the rear and including connecting the existing garage to the existing house. Raise the existing flat roof to the north elevation by 500mm. Provide four new Velux roof lights to the front of the house and garage.
3. However, amendments were made to the proposal through-out the course of the application process. I have used the description used by the Council in its decision notice, the officer report, and the appeal form, as I consider this to be a more accurate description of the proposal and I have therefore considered the appeal on this basis.

Main Issue

4. The effect of the proposal on the character and appearance of the host dwelling.

Reasons

5. The property is within the residential area. Generous sized detached properties of a varied design and style are set either side of Cranleigh Road which slopes steeply towards the sea front.
6. The first floor extension to the garage to connect it to the main property and the insertion of rooflights in the garage roof would be in keeping with the overall style of the front elevation of the host dwelling. The rooflights proposed in the main roofline would sit either side of the dormer window, and due to their size and sympathetic siting, would not have a detrimental effect on the character and appearance of the property. The front elevation of the property would remain unaltered in all other respects.
7. When viewing the property from the rear the garage is seen in the context of the rear elevation, and the proposal would further enhance this. Taking into account this wider aspect of the elevation, the proposed two storey rear extension would span approximately half the width of the host dwelling. It would not extend past the current rear building line of the property. Due to the width of the plot the additional built form could be accommodated without it becoming an overly dominant feature of the rear elevation.
8. I do not consider that the extension would relate poorly to the architectural features of the host dwelling. I saw on my site visit that due to the existing break between the garage and the host dwelling, and the layout of the ground floor, the rear façade currently appears piecemeal and irregular. The design of the proposal would achieve a more simplified rear elevation, which would encompass the garage as a more integral part of the dwelling, and allow the scale of the extension to be seen in the context of a broader elevation.
9. The ridgeline of the extension would be less than one metre below the ridgeline of the host property. The roof of the extension would be hipped, allowing some views of the existing steep slope of the host dwelling roofline, and would sit adjacent to the steeply pitched roof of the garage. In my view, the retention of the garage roofline, and the remaining views of the host dwelling roofline, would allow the extension to sit within the built form of the host dwelling.

10. The appellant has accepted that a pebble dash finish could be used if appropriate. It is my view that the materials of the extension should match those of the host dwelling and I have therefore addressed this by way of condition.
11. Accordingly, I conclude that the proposal would result in an extension that is well designed and sited in relation to the property in respect of its scale and design. The proposal therefore complies with Policy QD14 of the Brighton and Hove City Plan Part One 2016, and the guidelines set out in Supplementary Planning Document 12 "design guide for extensions and alterations", which seek to ensure that development is appropriate in scale and mass and in its relationship to the character and appearance of the host dwelling and surrounding area.

Other Matters

12. I note the concerns raised by the occupiers of the neighbouring property No. 14 in respect of the effect of the proposal on their living conditions. I am satisfied that the proposal maintains an adequate separation distance from the neighbouring property to avoid the proposal being overbearing or having a detrimental impact in respect of the neighbouring occupier's outlook. In respect of the side windows on the proposal, one window would serve a bathroom. The second window would serve a bedroom and, due to the existing windows on the south elevation of No 14, I have included a condition to avoid any harm to the occupiers of No 14 Cranleigh Road in respect of loss of privacy.

Conditions

13. The Council has suggested a number of conditions which I have considered in accordance with the Framework and Planning Practice Guidance.
14. A condition specifying the approved plans is necessary as this provides certainty. I have imposed a condition requiring the submission of materials as this is necessary to safeguard the character and appearance of the area.
15. A condition suggested by the Council to require obscure glass and limit the opening of the side windows facing No 14 Cranleigh Road is necessary to protect the living conditions of the occupiers of No 14.
16. I have not included a condition suggested by the Council requiring the garage to be used as ancillary accommodation as I have no evidence that leads me to conclude that the condition meets the necessary tests as set out in the PPG.

Conclusion

17. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

Johanna Ayres

INSPECTOR

