



Appeal Decision

Site visit made on 15 September 2009

by **J O Head BSc(Econ) DipTP MRTPI**

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

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**Decision date:
6 October 2009**

Appeal Ref: APP/Q1445/D/09/2110650

146 Bexhill Road, Woodingdean, Brighton, East Sussex BN2 6QA

- 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 Miss Sally Baldwin against the decision of Brighton & Hove City Council.
- The application Ref BH2009/00641, dated 17 April 2009, was refused by notice dated 15 June 2009.
- The development proposed is a single storey front extension.

Decision

1. **I allow the appeal**, and grant planning permission for a single storey front extension at 146 Bexhill Road, Woodingdean, Brighton in accordance with the terms of the application, Ref BH2009/00641, dated 17 April 2009, and the plans submitted with it, 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 extension hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs has been made by Miss Sally Baldwin against Brighton & Hove City Council. That application is the subject of a separate Decision.

Main issues

3. The main issues are the impact of the proposal on the appearance of the property and of the street scene; and its impact on the living conditions of the occupiers of the adjoining properties, with reference to light and outlook.
4. The second reason for refusal on the Council's decision notice refers to an adverse impact on the residential amenity of No 144 Bexhill Road. The Council has advised that this is an error and that the affected property is considered to be No 148 Bexhill Road. I have reached my decision on that basis.

Reasons

5. On the first issue, this part of Bexhill Road is lined with 2-storey terraced houses on the south side only, with rising open downland to the north. The

ground floor frontages of many of the houses have been altered by single-storey additions in a variety of styles, with flat, hipped and lean-to roofs all in evidence. This has created a rather cluttered and irregular appearance, although, because of the siting of the terraces below the level of the road and behind reasonably sized front gardens, it is the upper floors and roofs that are the most prominent element in the street scene.

6. The proposed extension would replace the existing flat-roofed open canopy porch at No 146 with a full-width extension with a lean-to tiled roof and a central front door. Provided that matching materials were used, I consider that this would improve the appearance of the front elevation of the house, which is currently somewhat disjointed and lacking in symmetry. The width of the proposed extension would be greater than the others in the vicinity but it would, in my view, be of better design and appearance than many of them and would be no more prominent in the street scene. Bearing in mind the existing front additions that are characteristic of the locality, I consider that the design requirements of Local Plan Policies QD1, QD2 or QD14 would be satisfied and that no harm would be caused to the appearance of the property or to the street scene in Bexhill Road.
7. As to the impact of the proposal on the adjoining properties, the appellant states that the proposed extension is intended to align with the existing front addition at No 144, the property to the west, and it would, on that basis, have no impact on the living conditions of the occupiers of that property. The property to the east, No 148, is set a little behind No 146 and I saw that the outlook from its front ground floor window is already enclosed by the 2-storey flank wall of No 146 and by the solid flank wall of the existing flat-roofed porch. However, the main outlook from the front windows of the houses is towards the open land to the north. The proposed extension would be higher than the porch, because of its pitched roof, and would also project further into the front garden. Nonetheless, in my estimation, the additional height and projection involved would not have a significant impact on the already restricted outlook to the north-west from the window at No 148 and would have only a marginal impact on the level of daylight reaching the room that it serves. There would be no effect on sunlight because of the orientation of the windows. Any loss of amenity to No 148 would not, in my judgment, be so severe as to conflict with the requirements of Local Plan Policies QD14 or QD27 and the proposal would not harm the living conditions of the occupiers of either of the adjoining properties.
8. As there would also be no harm to the street scene, the proposed extension is acceptable, subject to the statutory time condition and to a condition requiring the use of materials to match the existing house, for the reason given in paragraph 6 above. I have imposed the model condition from Circular 11/95 in preference to that suggested by the Council.

John Head

INSPECTOR
