



Appeal Decision

Site visit made on 16 March 2010

by **P E Dobsen MA (Oxon) DipTP MRTPI**
FRGS

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

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Decision date:
19 March 2010

Appeal Ref: APP/Q1445/D/10/2121205

7 Greenways Corner, Ovingdean, Brighton BN2 7BQ

- 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. Christopher Bosker against the decision of Brighton & Hove City Council.
- The application (Ref BH2009/02424), dated 24 September 2009, was refused by notice dated 23 December 2009.
- The development proposed is "two storey extension at rear of property".

Decision

1. I allow the appeal, and grant planning permission for the erection of a two storey extension at the rear of 7 Greenways Corner, Ovingdean, Brighton BN2 7BQ, in accordance with the terms of the application, Ref BH2009/02424, dated 24 September 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.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or doors [other than those expressly authorised by this permission] shall be constructed on the northern or southern elevations of the extension, without the prior written consent of the local planning authority.

Main issue

2. The main issue in the appeal is the effect of the proposed extension on the Ovingdean Conservation Area (CA).

Reasons

3. The appeal site contains a semi-detached, 2 storey, brick-and-tile built dwelling, with small gardens at the front, side and rear, which lies to the east of the junction of Ovingdean Road and Greenways. No 8, the other half of the pair, lies to the south west. While both dwellings have small, single storey extensions to their flank walls, neither has been extended at the rear.

4. Probably dating from the early part of the last century, these small English vernacular dwellings have a simple, rustic appearance, which is also replicated to some extent by similar dwellings on the far side of the road. Adjacent to the north east is The Hames, a single storey brick-and-flint dwelling, and to the south lie the extensive grounds of the substantial, grade II listed house, Ovingdean Grange.
5. The proposal is to build a 2 storey extension at the rear of No. 7, which would have a footprint of 4m. by 4m, and would occupy about half of its width. This would contain a studio room on the ground floor, and a (third) bedroom above. It would have a hipped, tiled roof and its fenestration, external materials and other design details would match those of the original house.
6. The appeal site and its surroundings lie near the centre of the Ovingdean CA, designated in 1970, which includes much of this older part of the village. I am therefore required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have also been mindful of the relevant development plan policies in the Brighton and Hove Local Plan, as listed in the Council's decision notice.
7. On the main issue, I have noted the comments of the Council's Design and Conservation Team, which are not opposed in principle to a two-storey rear extension in this position. Although it would be quite substantial in scale compared with the existing dwelling, it would be unobtrusively sited at the rear, and would not be at all prominent in views from the adjacent road, nor from any other public viewpoints. In my opinion, the design of the extension would complement that of the original dwelling, and it would not have any significant impact on the setting of Ovingdean Grange. The fact that it would "unbalance" what is at present a symmetrical pair of houses is, to my mind, of no great consequence, as it would be located at the rear. In sum, I consider that the proposed extension would preserve the character and appearance of the CA, in accordance with the Council's policies.
8. Despite a reference to this in the single reason for refusal, I am satisfied that the proposed extension would not have any unduly adverse impact upon the rear of the adjoining No.8, or its rear garden. During my site inspection, I also looked at the relationship between the proposed extension and The Hames, from which it would be separated by a boundary wall and a domestic outbuilding. I consider that the extension would not cause any significant loss of natural light to any habitable rooms at that house, and that it would be sited at a sufficient remove from the property boundary to obviate any sense of overbearing proximity.
9. I have therefore decided to allow the appeal, subject to the gist of the 3 conditions suggested by the Council. I have considered all the other matters raised in the Council's statement, and in letters from third parties at the application stage, but there are none which alter or outweigh my findings on the main town planning issue.

Paul Dobsen INSPECTOR
