



# Appeal Decision

Site visit made on 3 August 2010

by **R J Perrins MA MCM**

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

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**Decision date:  
17 August 2010**

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**Appeal Ref: APP/Q1445/D/10/2131595  
412 Falmer Road, Brighton, East Sussex BN2 6LG.**

- 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 Adrienne Madaris NNadi against the decision of Brighton & Hove City Council.
- The application Ref BH2010/00157, dated 4 January 2010, was refused by notice dated 30 April 2010.
- The development proposed is two storey side and rear extensions.

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## Decision

1. I allow the appeal, and grant planning permission for two storey side and rear extensions at 412 Falmer Road, Brighton, East Sussex BN2 6LG in accordance with the terms of the application, Ref BH2010/00157, dated 4 January 2010, 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 development hereby permitted shall be carried out in accordance with the following approved plans: P09/049/01 and P09/049/02.
  - 3) 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.

## Main issue

2. I consider the main issue in this case to be the impact of the rear extension upon the character and appearance of the original dwelling and the surrounding area.

## Reasons

3. The detached appeal property sits on the eastern side of Falmer Road. The road is of mixed use, predominantly residential, with dwellings of differing sizes and designs. To the front of the property is a full height white-washed wall with solid double gates.
4. The Council raise no objections to the size and scale of the development and its impact on the property when viewed from the front. Given the variety of dwellings in the locality, the screening afforded to the front, and the fact that

the house is well set-back from the road. I see no reason to disagree with that view.

5. I also accept that there are views through to the property from Millyard Crescent and the proposal would have a large area of flat roof. However, those views are at oblique or right angles and have to be sought between properties. Given the angle of available views, and that the rear extension extends no further into the garden than the current rearmost two-storey element, I do not consider it would draw the eye and the flat-roof element would not be visually intrusive. The view directly to the rear of the property is also broken up by existing trees growing in the rear lawn.
6. For these reasons and given the variety of housing and roof-styles in the locality I find the development would not lead to unacceptable harm to the character and appearance of the locality or the existing dwelling. It would not therefore be contrary to saved Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan which amongst other things seek developments and extensions of a high standard of design which take into account local characteristics.
7. I have also considered the impact of the proposal upon occupiers of the adjacent dwellings. Although there is a degree of screening offered by the boundary planting it would be viewed from adjacent dwellings. However given its position and current form I do not consider the extensions would result in unacceptable harm to the living conditions by way of loss of sunlight or daylight. Furthermore, the windows proposed would offer similar views to that which currently exists.
8. For these reasons and having considered all other matters raised I conclude the appeal should be allowed. I will impose the usual time limit on commencement of development, a condition requiring the development to be carried out in accordance with approved plans is necessary for the avoidance of doubt and in the interests or proper planning. I will also ensure matching materials are used by way of condition to ensure the extensions blend in with the existing.

*Richard Perrins*

Inspector