



Appeal Decision

Site visit made on 23 September 2010

by Simon Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 3 October 2011

Appeal Ref: APP/Q1445/D/11/2158200
5 York Villas, Brighton, East Sussex BN1 3TS

- 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 Jonathan Taylor against the decision of Brighton and Hove City Council.
 - The application Ref BH2011/01677, dated 7 June 2011, was refused by notice dated 2 August 2011.
 - The development proposed is the demolition of an existing garage and erection of a single storey side extension
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Decision

1. I allow the appeal and grant planning permission for the demolition of an existing garage and erection of a single storey side extension at 5 York Villas, Brighton, East Sussex BN1 3TS in accordance with the terms of the application, Ref BH2011/01677, dated 7 June 2011, 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 drawings 5YV2/1, 5YV2/2, 5YV2/3, 5YV2/4, 5YV2/5, 5YV2/6, 5YV2/7 and 5YV2/8.
 - 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 in this case is the effect of the proposal on the character and appearance of the host property, the street scene and the surrounding area.

Reasons

3. The appeal property is an end of terrace house situated in a residential street primarily comprising imposing semi-detached villas with narrow gaps between each pair. To the side of the appeal building there is an uncharacteristically wide gap, within which there is a detached garage and a garage attached to
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the next door property. The proposal would comprise the removal of the former and its replacement by a single-storey side extension.

4. The proposal would be taller and have a larger footprint than the building it replaces. However, it would be located a significant distance behind the front building line of the appeal property and its neighbours. As a result of this, the sloping nature of the street and the high front boundary wall and gates, the proposal would be largely hidden in views looking along the street. As a consequence I am therefore satisfied that it would be a subordinate addition to the host property which would be a secondary and a relatively inconsequential element in the street scene in terms of its height, bulk and width.
5. I note that the appeal property forms part of a terrace of well-preserved period houses that are characterised by intricate detailing, bay windows and a strong vertical emphasis. Whilst the proposal would have a predominately horizontal emphasis, due to its siting and relatively diminutive height it would not, in my judgement, have an unacceptable effect on the architectural integrity of the host property or the terrace. I am also satisfied that the proposal's flat roof would not have a harmful effect on the appearance of the host property or the street scene.
6. For the reasons set out above I therefore conclude that the proposal would have an acceptable effect on the character and appearance of the host property, the street scene and surrounding area. It therefore complies with Policies QD1, QD2 and QD12 of the Brighton and Hove Local Plan (2005) which seek development that takes into account the height, scale, bulk and design of existing buildings and is well designed, sited and detailed.

Conditions

7. In order to protect the character and appearance of the area a condition requiring materials to match those of the existing dwelling has been imposed. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plan, for the avoidance of doubt and in the interests of proper planning.

Conclusion

8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Simon Poole

INSPECTOR