



Appeal Decision

Site visit made on 28 November 2011

by P W Clark MA MRTPI MCI

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

Decision date: 6 December 2011

Appeal Ref: APP/Q1445/D/11/2162674
6 Glen Rise, Brighton, East Sussex BN1 5LP

- 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 Marcus Stephanou against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/01380, dated 1 May 2011, was refused by notice dated 4 August 2011.
 - The development proposed is a two storey rear extension to the gable end roof, an extension to the single storey hipped roof, an enlarged garage with an added pitched roof and the addition of a front lobby.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension to the gable end roof, an extension to the single storey hipped roof, an enlarged garage with an added pitched roof and the addition of a front lobby at 6 Glen Rise, Brighton, East Sussex BN1 5LP in accordance with the terms of the application, Ref BH2011/01380, dated 1 May 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 the following approved plans: GR61210/1B and unnumbered roof plan amended June 2011.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Reasons

2. The appeal premises originated as a dwelling with an L-shaped plan. The longer arm of the L extends back from the street, parallel and close to the side boundary with number 8. It has a very steeply pitched roof rising from ground floor eaves level, containing a first floor with windows in front and rear gables and rooflights in the slope facing number 8. The shorter arm of the L is set back. It has a lower, shallow pitched, hipped roof.
3. At some time in the past a substantial flat roofed extension has been placed on the roof of the lower wing, straddling its ridge and hips. The proposal is to remove this extension, to increase the pitch and height of the hipped roof

- slopes to accommodate dormer windows, to extend the hipped wing forward and to extend both the hipped wing and the gabled wing towards the rear.
4. The materials to be used in the extension can be required by condition to match the original house. With this condition in place, the sole main issue is the effect which the rear extension of the gabled roof would have on the living conditions of residents at number 8 Glen Rise by way of outlook.
 5. The proposal was amended during its consideration by the Council, so a condition makes it clear which drawings are being approved. The gabled wing would be extended by 4m at ground floor level but by only 3m at first floor level. Because the houses in Glen Rise are sited in echelon along the road, the flank of number 8 presently extends about 1.4m beyond the rear elevation of number 6, so the net effect would be that the extended pitched roof of the appeal would project about 1.6m deeper than the rear wall of number 8.
 6. As already noted, the upper floor of the gabled wing is set within the roof slope which rises from eaves at ground floor level, so recedes from number 8 as its height increases. This effect is enhanced by differences in level between the two properties, which place number 8 on more elevated ground. As a further result the garden fence between the two properties would largely obscure the deeper ground floor part of the proposal from view.
 7. There is a window in the flank of number 8 which would look out directly onto the roof slope of the proposed extension but it appears to be a secondary window to a room which has its principal outlook to the rear. Because the rear extension to number 6 would be so shallow in relation to number 8, it would be seen from the principal rear facing upper floor window at such an acute angle that it would cause no unacceptable harm to that outlook.
 8. At the far side of number 8 there is a two storey addition which protrudes about 2.8 m into the garden. In the corner between that extension and the main rear wall of number 8 is a single storey conservatory. It has two faces; one towards its garden, the other towards number 6. Its façade facing number 6 is about 4m from the boundary. This distance, combined with the greater elevation of number 8 in relation to number 6 and the shallow projection of the first floor part of the proposed extension, would mean that any effect on outlook from the conservatory would not be so significant as to require this appeal to be dismissed.
 9. I conclude that the proposal would have an acceptable effect on the living conditions of the residents of number 8 Glen Rise. It would comply with policy QD27 of the Brighton and Hove Local Plan 2005 which seeks to protect the living conditions of neighbours to a development.

P. W. Clark

Inspector