



Appeal Decision

Site visit made on 2 April 2013

by David Harmston FRICS DipTP MRTPI

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

Decision date: 9 April 2013

Appeal Ref: APP/Q1445/D/13/2193437

58 Waldegrave Road, Brighton, East Sussex BN1 6GE

- 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 Barry Shilliam against the decision of Brighton & Hove City Council.
 - The application (Ref BH2012/03445) was refused by notice dated 20 December 2012.
 - The development proposed is the erection of a single-storey rear and side extension incorporating three rooflights and bi-folding doors to the rear to provide access to the garden.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey rear and side extension incorporating three rooflights and bi-folding doors to the rear to provide access to the garden at 58 Waldegrave Road, Brighton, East Sussex BN1 6GE in accordance with the terms of the application (Ref BH2012/03445), dated 28 October 2012, subject to the following conditions:
 - (1) The development hereby permitted shall be commenced within three years of the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos:- L-100; L-101; L-102 and L-103.
 - (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.

Preliminary Matters

2. In the interests of clarity I have modified the description of the development from that stated on the application form. The property lies within the Preston Park Conservation Area and I have therefore paid special attention to the need to consider whether or not the development would serve to preserve or enhance the character or appearance of that Area.

Reasons

3. The appeal property is a period, two-storey, semi-detached dwellinghouse lying within the built-up area of Brighton. The character of the area is defined by the long lines of similarly-designed (or originally identical) dwellings laid

out in a uniform arrangement with straight and even building lines and regular spacing and separation distances between the properties. The proposal is to erect a single-storey rear addition to the building, projecting by about 1.9m into the rear garden, and running down the northern side of the building within an area of land currently in use a terrace with a small outbuilding.

4. With a rearwards projection of only about 1.9m in a position adjacent to the boundary with No 56 Waldegrave Road, and having regard to the height and design of the extension, and the presence of the outbuildings and a hedge, I agree with the Council that the development would have no adverse effects on the amenities of the occupants of that property. Similarly, and having regard to the change in ground levels between the two houses, the side extension element of the overall development would have no material impact on the residents of No 60 Waldegrave Road. The Council has raised no objections to the scheme in respect of its effects on the amenities of the occupants of the adjoining houses and I share this conclusion. The development would be in compliance with policy QD27 of the Brighton & Hove Local Plan on this issue.
5. The main issue in the appeal, therefore, is whether the development would unacceptably impact on the character or appearance of the Conservation Area in terms of its preservation or enhancement. Being at the rear and rear-side of the existing building the development would be concealed from the streetscene. Whilst views of the extension would be possible from a number of vantage points in the adjoining residential curtilages and buildings, such as from the rear elevations of the dwellings in Chester Terrace, due its scale and design, the development would not impact in any material way on the character or appearance of the Conservation Area.
6. The extension would be of a modest size and height and it has been designed to respect the appearance of the existing building. As I saw, and as has been pointed out, many rear extensions to dwellings have been erected within the neighbourhood and within the Conservation Area. I saw at my site visit that additions to a number of dwellings within the vicinity of the site have been undertaken without causing any material detriment to the character or appearance of the Area. In these terms I conclude that the development would be neutral as far as the preservation or enhancement of the Conservation Area is concerned. For these reasons I also conclude that the proposals would not be in breach of policies HE6, QD2 or QD14 of the Local Plan on this issue and it is therefore acceptable in all respects.
7. I have imposed a condition relating to the statutory time duration of the permission and I have specified the approved drawings for the avoidance of doubt and in the interests of proper planning. It is necessary for the external finishes to be used in the construction of the development to match those used in the existing building in the interests of visual amenity. I have attached weight to everything that has been raised in opposition to this proposal but nothing is of sufficient substance to alter my conclusions above and the reasons for them.

David Harmston

Inspector