



Appeal Decision

Site visit made on 14 May 2013

by R Barrett BSc(Hons) MSc, Dip HistCons, Dip UD, MRTPI, IHBC
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 May 2013

Appeal Ref: APP/Q1445/D/13/2195966
81 Hangleton Way, Hove, East Sussex BN3 8AF

- 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 Ms Stephanie Mee against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03925, dated 10 December 2012, was refused by notice dated 6 February 2013.
 - The development proposed is conversion and extension of garage with connection to existing house.
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Decision

1. The appeal is allowed and planning permission is granted for conversion and extension of garage with connection to existing house in accordance with the terms of the application Ref. BH2012/03925 dated 10 December 2012, subject to the following conditions:
 - 1) The development hereby permitted shall not begin 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: OE-120 PO7A; OE-120 PO4B; OE-120 PO5B; OE-120 PO6B.
 - 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.
 - 4) Before the first occupation of the extension hereby permitted the window facing the street shall be fitted with obscured glass and fixed shut and shall be permanently retained in that condition.

Main issue

2. The main issue is the effect of the proposed rear extension on the character and appearance of the locality.

Reasons

3. The appeal site includes a semi-detached family house in a road of generally similar properties. The garages of many of these houses sit between the semi-detached pairs, close to the common boundary, set back behind the rear building line of the properties. Due to a drop in ground level the garages sit at a lower level to the street.

4. The proposed extension would be in place of the existing garage, with an increased footprint and height. Whilst it would extend into the rear garden perpendicular to the main house, it would have a broadly similar relationship to the host dwelling as that of the existing garage and would not appear out of scale. It would be appropriate in its design and its use would be in association with the main house. Whilst it would be larger than the existing garage, it would leave adequate garden to the side and rear and would not dominate it. The folding doors on the garden side of the proposed extension would not materially increase its impact on the rear garden. The existing single storey garage to No 83 and the high level fence on the boundary with No 79 would significantly reduce the impact of the proposal on the character and appearance of the locality. Despite the insertion of a door and window in the front elevation, as the proposal would have a similar form to the existing garage and that of the neighbouring property's garage, it would relate appropriately to the neighbouring property. On my site visit I saw that other pairs of garages had been altered with the consequence that one differs slightly from its partner and therefore the proposal would not appear out of character in this respect. As the proposed extension would be at a lower level than the street and would be well set back behind the existing rear building line of the host dwelling, it would sit comfortably in the street scene.
5. I conclude that the proposal would not cause an adverse effect on the character and appearance of the locality and would generally accord with Brighton and Hove Local Plan (2005) Policies QD2 and QD14, which together require all new development to be designed to emphasise and enhance the positive qualities of the local neighbourhood and be well designed. I find these policies generally consistent with The National Planning Policy Framework.

Conditions

6. I have considered the conditions suggested by the Council in light of advice set out in Circular 11/95: *The Use of Conditions in Planning Permissions*. I have attached the standard condition relating to the commencement of development. For clarity a condition referring to the relevant plans is necessary for the avoidance of doubt and in the interest of proper planning. A condition to ensure that new work matches the existing house is also necessary to ensure that the proposed extension would blend in with the host dwelling. To preserve the privacy of the occupiers of No 83, a condition to ensure that the proposed window which would front the street is obscure glazed and fixed shut is required. In addition, a condition to ensure that the window which would face the street would be obscure glazed and fixed shut is necessary to preserve the privacy of the occupiers of No 83.

Conclusion

7. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed.

R Barrett

INSPECTOR