



Appeal Decision

by **Richard Thomas BA DipArch RIBA IHBC**

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

Site visit made on 28 January 2014

Decision date: 5 February 2014

Appeal Ref: APP/Q1445/D/13/2210743

56 Queens Park Rise, Brighton, BN2 9ZF

- 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 Vasco Menezes against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02728 was refused by notice dated 25 October 2013.
 - The development proposed is a ground floor single storey side extension combined with the re-building of the rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor single storey side extension combined with the re-building of the rear conservatory at 56 Queens Park Rise, Brighton, BN2 9ZF in accordance with the terms of the application Ref BH2013/02728, dated 8 August 2013, subject to the following conditions:
 - 1) The development hereby permitted shall commence before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans; Drg No: 0227-13-01 (Existing & Proposed Elevations), Drg No: 0227-13-02 (Existing Plans), Drg No: 0227-13-03 (Proposed Plans), Drg No: 0227-13-04 (OS Extract) and Drg No: 0227-13-06 (Block Plan).
 - 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 proposed development on the character and appearance of the host property and the area.

Reasons

3. The appeal property is a two storey end of terrace house with accommodation in the converted roof space. It is separated from the neighbouring terrace by a pathway. To the rear, set in from the flank of the house, there is a two storey projection or 'outrigger', with a single storey conservatory attached at the end.

4. It is proposed to infill the space to the side of the outrigger up to the edge of the pathway, by way of a single storey extension with a lean to roof. This would wrap around the end of the outrigger with a fully glazed roof replacing the existing conservatory.
5. The Council's Supplementary Planning Document 12 "design guide for extensions and alterations" 2013 (SPD), advises that infill extensions should not normally extend beyond the rear wall of the outrigger or wrap around to the rear elevation. This is to preserve the original plan of the building.
6. Irrespective of whether the conservatory is an original part of the house or not, it is an existing feature and, judging by its character and appearance, a relatively longstanding one. Therefore, in this particular case, extending beyond the two storey rear projection to the depth proposed would have a very limited effect on the plan of the building as it currently appears.
7. The SPD also advises that the acceptability of infill extensions is generally dependent upon the proposed design. The proposed glazed bi-folding doors at the rear as well as the glazed roof to the section that extends beyond the outrigger would result in the rear section of the proposed extension having a particularly lightweight appearance, readily discernable from both inside and outside the house. This would ensure that the traditional floor-plan of the building would remain clearly legible.
8. The proposed extension would therefore sit comfortably with the existing building and, taking into consideration its low single storey form, the effect on the surrounding area would be neutral. Accordingly, the proposed development would not have a harmful effect on the character and appearance of the host property or the area. The development would thereby not conflict with policy QD14 of the Council's Local Plan 2005.

Conclusion

9. For the reasons given above, and having regard to all other matters raised, it is concluded that the appeal should be allowed and planning permission granted.

Conditions

10. In addition to the standard commencement condition, one that requires the development to be undertaken in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition which requires the external surfaces to match those of the existing building is necessary in order to ensure a satisfactory appearance to the proposed development.

R Thomas

INSPECTOR