



## Appeal Decision

Site visit made on 10 May 2016

by **D Cramond** BSc MRTPI

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

Decision date: 03 June 2016

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**Appeal Ref: APP/Q1445/D/16/3144069**

**24 Westfield Avenue South, Saltdean, Brighton, BN2 8HT**

- 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 Mark Woodley against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/04411, dated 7 December 2015, was refused by notice dated 4 February 2016.
  - The development proposed is a single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 24 Westfield Avenue South, Saltdean, Brighton, BN2 8HT in accordance with the terms of the application Ref BH2015/04411, dated 7 December 2015, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  3. The development hereby permitted shall be carried out in accordance with the following approved plans: PO1, PO2, PO3, PO4, PO5B, PO6 & PO7.

### Main Issue

2. The main issue is the effect of the proposal on the appearance and amenity of the site.

### Reasons

#### *Appearance and amenity*

3. The appeal property is a modest detached bungalow within an established residential area with many broadly similar dwellings. The area is visually low key and pleasant. Gardens tend to embody a side driveway, a frontage area, a side path and a rear amenity area of around 8 – 9 metres in depth. The proposal is as described above and would provide an additional bedroom with bathroom within an extension projecting about 5 metres into the garden, running across about two thirds of the rear of the dwelling and having a pitched roof with a ridge height of about 5 metres.
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4. It has been established that the development would in effect be 'permitted development' if only the ridge was to be amended to a crown / flat roof not exceeding 4 metres in height. From what I have seen and read I am in no doubt that this is a 'fall-back' which is a serious proposition for the Appellant.
5. The Council is concerned that the appeal scheme would be an overdevelopment of the site which would appear overly dominant in relationship to the modest character of the host building and would restrict the amount of useable garden space.
6. Certainly the scheme would be larger than other rear extensions which were apparent on my visit. However, there is some local variance in rear building line and I am not persuaded that further variation would be unsuitable in character and appearance terms. The pitched roof over the proposed extension would not be insubstantial but it would mirror existing rear slopes and be set down from the main central ridge point to give a degree of subservience. The extension would also not run across the whole rear elevation, again giving some suitable diminution relative to the original property. A not insignificant space would be taken up in the rear garden area. Nevertheless the area remaining would be very usable in amenity terms and the remodelling of the home to allow direct access from rear to garden would add a positive attribute.
7. Given the foregoing, and with some cognisance of the fall-back which I consider would be a less attractive roof arrangement and offer no planning or practical advantages, I would not agree with the Council's perspective as set out in paragraph 5 above.
8. Saved Policy QD14 in the Brighton & Hove Local Plan, seeks, amongst other matters, well designed and suitably scaled and sited extensions having regard to the host property and its surroundings. I conclude that the proposal would not conflict with this policy or the objectives of the Guidance within Supplementary Document 12 which despite setting out guidance on relative depths of preferred development cannot be expected to cover every eventuality.

#### *Conditions*

9. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I agree this latter condition would be appropriate in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; for the avoidance of doubt and in the interests of proper planning.

#### *Overall conclusion*

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the appearance and amenity of the site. Accordingly the appeal is allowed.

*D Cramond*

INSPECTOR