

Appeal Decision

Site visit made on 21 February 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 9th March 2017

Appeal Ref: APP/Q1445/D/16/3165657

19 Vale Road, Portslade BN41 1GD

- 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 B Sweeney against the decision of Brighton and Hove City Council.
 - The application Ref BH2016/02386 was refused by notice dated 27 September 2016.
 - The development proposed is a single storey flat roof rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey flat roof rear extension, at 19 Vale Road, Portslade BN41 1GD, in accordance with the terms of the application, Ref BH2016/02386, 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: 15-146-01, 15-146-03.1 and 15-146-03 rev A.
 - 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 is the effect on the character and appearance of the locality.

Reasons

3. The Council's Supplementary Planning Document (SPD) spd 12, design guide for extensions and alterations, June 2013, contains design principles for single storey rear extensions. These include the advice that rear extensions should normally be no deeper than half the depth of the main body of the original building. With a depth broadly similar to that of the original two storey building the proposed extension would therefore be contrary to this guidance. The Council does not indicate that there would be any conflict with the other principles. There would be compliance with that suggesting such development should not extend beyond the main side wall. Together with the fairly low flat roof this would significantly limit the scale and bulk of the addition despite its depth.
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4. Furthermore, the depth of the extension at over 8m would match those of the rear additions at the pair of neighbouring semi detached dwellings at 21 and 23 Vale Road. The attached property at no. 17 Vale Road has a 6m deep single storey rear extension. As a result, extensions exceeding half the depth of the original building are an established feature in the vicinity. There are also other rear projections of varying depths within the group of similar semis on this side of Vale Road.
5. The Council explains that there is no permission for the rear extension at no. 21 and that at 23 was accepted in order to create a balanced and matching appearance at the back of the pair. Nevertheless, these are part of the built environment at the rear of the semi-detached dwellings so that regard must be had to their presence.
6. The addition would align with the ends of the extensions at the neighbouring semis at 21 and 23, while only projecting fairly modestly beyond that at no 17. In this specific context the rear extension would not be excessively bulky or appear overly dominant and be of an appropriate scale and character. By reflecting nearby development, it would result in a more cohesive and consistent appearance at the rear of the dwellings.
7. It is therefore concluded that the character and appearance of the locality would not be harmed, with the proposal complementing existing development. There would be compliance with the intention of Brighton and Hove Local Plan Policy QD14 that extensions should be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.
8. Because of the precise circumstances this is an instance where conflict with the design principle of the SPD concerning the depth of single storey rear extensions would not justify rejecting the appeal. This principle of the SPD should not therefore be rigidly applied in this case. The core planning principles of the National Planning Policy Framework that planning should seek to secure high quality design and take account of the character of different areas would be satisfied.
9. The relatively modest degree of projection beyond the end of the rear extension at no. 17 and fairly limited height of the proposed addition would ensure no undue loss of sunlight or reduction in outlook at the adjacent dwelling. I also note that the Council has raised no objections in respect of such matters.
10. Taking account of all other matters raised, there is no reason to reject the proposal given the absence of harm and the appeal succeeds. In reaching this decision I have considered the views of a neighbouring resident.
11. A condition specifying the approved plans is necessary to provide certainty. The facing materials used should match those of the existing dwelling to protect its appearance.

M Evans

INSPECTOR