



Appeal Decision

Site visit made on 2 August 2019

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/Q1445/D/19/3229393

146 Hangleton Valley Drive, Hove BN3 8FE

- 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 Mrs M Sidarous against the decision of Brighton and Hove City Council.
 - The application Ref BH2019/00411, dated 12 February 2019, was refused by notice dated 28 March 2019.
 - The development proposed is a new rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a new rear conservatory at 146 Hangleton Valley Drive, Hove BN3 8FE in accordance with the terms of the application, Ref BH2019/00411, dated 12 February 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) No construction work shall take place on the site other than between the hours of 8am and 6pm Monday to Friday and 8.30am and 1pm on Saturdays. There shall be no working on Sundays or Public Holidays.

Main Issue

2. The main issue is the effect of the proposed conservatory extension on the character and appearance of the host dwelling.

Reasons

3. The host dwelling is a semi-detached bungalow, previously extended by large front and rear box dormers and a ground floor side and rear extension that have significantly increased the floorspace of the original building. It is located on a long and curved street on a planned estate, fronted by bungalows and houses in a variety of formats and architectural expressions. These have good sized front and rear gardens, giving an overall appearance of spaciousness.
4. The combination of extensions and other alterations to the host dwelling have significantly altered the character and appearance of the original bungalow, to which the existing front dormer extension is evidently harmful. However, although the existing dormer extensions appear to have been constructed without the benefit of planning permission, in accordance with the General Permitted Development Order, enforcement has been ruled out by the Council

due to the time elapsed.

5. The proposed single storey conservatory would be located to the rear of the property and be slightly less in length than the width of the existing rear extension, to which it would be attached and from which it would project approximately 3 Meters into the rear garden.
6. As the rear garden of the host property backs on to a wooded area that sits between the properties on Hangleton Valley Drive and the A27, it would only be visible from the rear parts of the gardens of the two adjoining properties. From these rear vantage points the proposal would be viewed in combination with the side and rear extensions and the rear dormer.
7. Within this context the proposal, with its pitched and hipped roof form, would appear as a light and simple conservatory addition to the existing dwelling, rather than appearing as an extension in a confusing new design idiom. The garden remaining would still provide a usable amenity space for a property of this size and the proposal would not result in a cramped appearance.
8. I find, for the above reasons, that the character and appearance of the host dwelling would not be harmed by the further addition of the conservatory extension of the size and form proposed. Notwithstanding that the existing single storey side and rear extensions, to which the proposal would be attached, were approved by the Council prior to the adoption of its Supplementary Planning Document 12: Design Guide for Extensions and Alterations and would probably no longer be in accordance with that guidance.
9. I conclude that the proposal would be in accordance with the design aims of Policies QD14 of the Brighton and Hove Local Plan and CP4 of the City Plan Part One, which seek to ensure that development proposals are well designed and detailed in relation to the property to be extended, promote good urban design and protect established character and appearance.

Conditions

10. To protect the living conditions of neighbouring residential occupiers I have imposed a condition that controls the hours of construction.

Conclusion

11. For the above reasons the appeal is allowed.

Victor Callister

INSPECTOR