
Appeal Decision

Site visit made on 15 October 2019 by Emma Worby BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

appointed by the Secretary of State

Decision date: 20th November 2019

Appeal Ref: APP/Q1445/D/19/3233625

45 Glebe Villas, Hove BN3 5SL

- 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 Dan Saunders against the decision of Brighton & Hove City Council.
 - The application Ref BH2018/02803, dated 6 September 2018, was refused by notice dated 21 June 2019.
 - The development proposed is a single storey rear extension to ground floor including new side extension roof and internal renovations to suit.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension to ground floor including new side extension roof and internal renovations to suit at 45 Glebe Villas, Hove, BN3 5SL in accordance with the terms of the application, Ref BH2018/02803, dated 6 September 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: EX01, EX02, EX03, EX04, EX05, PR01 B, PR02 B, PR03 B and PR05 B.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. PR02 B and PR03 B.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the host dwelling;
 - the effect of the proposed development on the living conditions of the occupiers of the neighbouring dwelling, No.47 Glebe Villas, with regard to outlook and light.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is occupied by a two-storey semi-detached dwelling with an existing side and partial rear extension, flat roof box dormer window on the rear elevation and a single storey outbuilding in the rear garden. The surrounding area is residential in nature, mostly comprised of semi-detached and detached dwellings, many with loft conversions and extensions to the main property.
5. The proposed extension would be located to the rear of the property and, with the amendments to the roof of the side extension, would not be visible from the public realm. Therefore the proposal would not have an impact upon the wider streetscene. The extension would nearly span the entire width of the appeal site, excluding a 0.42 metre gap to the northern boundary, however the height and the depth of the extension would be relatively modest and overall it would not appear overly large within the long rear garden of the appeal site. Although it is apparent that a number of developments have taken place on the appeal site, the proposed extension would not appear out of proportion to the main dwelling and its impact, along with previous developments, would not constitute an overdevelopment of the main property.
6. It is proposed within the plans that the extension would be finished with painted white render, to match the main dwelling, and vertical cladding. This cladding would give the rear of the dwelling a more modern appearance than the existing materials. However, these materials would be sympathetic to the residential setting and would not appear as an incongruous or over embellished addition to the host property. The appellant has provided new drawings showing the extension finished solely with white render to match the existing dwelling in order to overcome the Council's concerns, however these plans were not considered by the Council in their determination of the planning application and the amendments are not considered necessary in this instance.
7. For the reasons above, I do not consider that the development would harm the character and appearance of the host dwelling. As such, I find no conflict with Policy QD14 of the Brighton and Hove Local Plan (2005) which, amongst other things, requires all extensions and alteration to existing buildings to be well designed, siting and detailed in relation to the property to be extended and use materials sympathetic to the parent building.

Living Conditions

8. The plans indicate the proposed extension would be 0.42 metres from the boundary of the neighbouring site at No.47 Glebe Villas. Due to the single storey nature of the proposed development, with a maximum height of 3 metres as shown on the drawings, the proposal would not have an overbearing impact on the occupiers of this neighbouring property. The gap between the boundary fence and the proposed extension would allow for the fence and much of the planting along the boundary to remain, as shown on the proposed ground flood plan, which would further reduce the impact of the development on the neighbouring site.
9. The Council have stated that due to the orientation of the site, the proposal would result in significant overshadowing to the neighbouring property.

Although the proposal would be to the south of the neighbouring property and be in close proximity to the boundary, due to the modest height and flat-roof design of the proposed extension, any loss of sunlight would not be significant enough to be detrimental to the occupiers of the neighbouring property.

10. Therefore, the proposed development would not harm the living conditions of the neighbouring occupiers and would not conflict with Policy QD27 of the Brighton and Hove Local Plan (2005) which seeks to protect the amenity and living conditions of proposed, existing and/or adjacent users, residents and occupiers.

Conditions

11. I have considered the conditions suggested by the Council. In addition to the standard time period for commencements of the development, I have attached a condition requiring the development to accord with the approved plans and a condition requiring the materials to accord with the approved plans, as this provides certainty.

Conclusions and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

8. I have considered all the submitted evidence and the Appeals Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR