

Appeal Decision

Site visit made on 30 June 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2022

Appeal Ref: APP/Q1445/D/22/3294875

15 Crescent Drive North, Brighton, BN2 6SP

- 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 Kym Rickson against the decision of Brighton & Hove City Council.
 - The application Ref BH2021/04348, dated 18 November 2021, was refused by notice dated 28 January 2022.
 - The development proposed is the erection of a single storey rear extension at first floor level.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension at first floor level at 15 Crescent Drive North, Brighton, BN2 6SP in accordance with the terms of the application, Ref BH2021/04348, dated 18 November 2021, 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: 2603 01 & 03.

Preliminary Matter

2. I use the Council's description of development which is more precise than the application form; I note the Appellant also uses this on the appeal form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and locality.

Reasons

Character and appearance

4. The appeal property is a single storey dwelling on the north side of Crescent Drive North with a ground floor rear extension, and a rear dormer on a gable ended roof. It is on a sizeable rectangular plot. Neighbouring properties immediately to the east, and frequently elsewhere in the street, are two storey
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dwellings. The style of building on the street is varied in terms of size, design, orientation and building-lines to the front and rear. This is an area where a characteristic is of significant extension and re-modelling works to original homes whilst the street maintains its residential character and generally pleasing appearance through the range of buildings and garden areas. The proposal is as described above.

5. The Council expresses the concern that the extension, along with other previous works, would represent overdevelopment of the property at variance from the style and appearance of the original building and out of character with other local buildings. There is some debate, which I will not enter, concerning the planning status of previous works to the property including hip to gable change and rear works; my assessment is of the composite plans before me as determined by the Council.
6. The appeal scheme in combination with other works would clearly represent a significant change from the original property. However, purely in terms of massing and volume, bearing in mind the size of the plot and scale of other homes around, I would not class the scheme as overdevelopment. The site and the locality can in practical and visual terms absorb this quantum of built form.
7. In terms of the appearance of this massing I am satisfied that the streetscene would not be harmed as front elevations would continue to be unremarkable relative to its wider setting and with a design and scale that would not be visually jarring. It would differ from the original frontage but, as in this case, preservation of past appearance is not always necessary to safeguard the qualities of a streetscene.
8. The flat roofed first floor rear extension embodied in the appeal scheme appears from the submitted drawings to be potentially ungainly and well removed from the original pitched roof form. However, the situation on the ground is more 'forgiving' than the two-dimensional plans would suggest. I recognise that this would not be the 'subservient' style extension one would often seek but more radical re-modelling of a dwelling should not always be ruled out if accommodation can be provided which is benign in aesthetic terms. To my mind this would be one such example. Unlike on the plans, the side elevations would not be open to wide viewing and I have deemed the street frontage to be acceptable as a (changed) pitched roof home. The rear of this stretch of dwellings has a marked flat roofed characteristic and this appeal scheme would not stand out as being appreciably different in that context. Indeed, the works would not project as far into garden space and northwards as the appreciable built form immediately alongside found on the two neighbouring homes; there would be compatible 'containment'.
9. In summary the specific circumstances on this site and in this immediate context satisfy me that character and appearance would be safeguarded were the somewhat unusual appeal scheme to progress.
10. Brighton and Hove Local Plan Saved Policy QD14 and Brighton and Hove City Plan Part 2 Policy DM21 are relevant. Taken together and amongst other matters they call for roof alterations and extensions to be well designed in suitable materials and spatially appropriate, all taking account of the character of the area. Given the foregoing I would conclude that the appeal scheme would not run contrary to these policies.

Conditions

11. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I would agree with the latter 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; to provide certainty.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would not have unacceptable effects on the character and appearance of the host property and the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR