



Appeal Decision

Site visit made on 20 February 2025

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2025

Appeal Ref: APP/Q1445/D/25/3358628

33 Stoneleigh Avenue, Brighton BN1 8NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr James Boys against the decision of Brighton and Hove City Council.
 - The application Ref. is BH2024/02125.
 - The development proposed is a partial first floor extension over the existing flat roof to the rear and installation of new cladding to the existing rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a partial first floor extension over the existing flat roof to the rear and installation of new cladding to the existing rear dormer at 33 Stoneleigh Avenue, Brighton BN1 8NP in accordance with the terms of the application, Ref. BH2024/0215, and the plans submitted with it, subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
 - 2) The development shall be carried out in accordance with the following approved plans: Drawing Nos. 01 & 02;
 - 3) The external materials to be used in the development shall be those illustrated on the approved plans and stated on the application form;
 - 4) The proposed bathroom window shall be obscure glazed and non-opening.

Main Issue

2. The main issue is the effect on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal building is one half of a semi-detached pair of single storey dwellings on the left hand side as viewed from the road and adjoining No. 31, a two storey house with the roof space converted and extended to provide further living space.
4. The Council's concern is that the proposed roof extension at No. 33 would be visible from the public realm and would relate poorly to the existing building, including through being overly dominant. However, the existing dormer extends across the whole roof and already somewhat dominates the building,

whereas the appeal scheme with half the ground floor extension roof retained to provide a recessed area would break up its width and provide some visual relief. Its rectilinear form is in keeping with the existing roof shape and the more contemporary external materials for the extension and the existing dormer would be an improvement in its appearance compared with the presently bland and formulaic roof addition.

5. The roof shapes and sizes to the rear of Stoneleigh Avenue and Close are already varied and I see no reason why the addition would draw the eye in these private views or be perceived negatively. This is especially the case as the roof extension to the adjoining No. 31 is far more bulky and noticeable than the small scale extension in this appeal.
6. If there is any disadvantage it would be the view of the side of the extended flat roof when seen at 90 degrees from the rear part of the flank of No. 31. But in that case the impact would be less than that from No. 33 towards No. 31 given the latter's greater height and own enlarged roof. Furthermore, the proposed extension would be barely visible from Stoneleigh Avenue.
7. Accordingly, I am satisfied that there would be no harmful impact on the character and appearance of the host building and its surroundings and no harmful conflict with Policy CP12 of the City Plan Part 1 2016; Policies DM18 & DM21 of the City Plan Part 2 2022; the Council's SPD guidance, and Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework, revised December 2024.
8. For the above reasons, the appeal is allowed. Conditions requiring the development to be in accordance with the approved plans are needed for the avoidance of doubt and are in the interests of proper planning. A condition ensuring the bathroom window is obscure glazed and fixed shut will safeguard the privacy of the occupiers and the neighbours at No. 31.

Martin Andrews

INSPECTOR