



# Appeal Decision

Sit Visit made on 13 October 2008

by **David Harmston FRICS DipTP MRTPI**

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

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**Decision date:**  
**15 October 2008**

**Appeal Ref: APP/Q1445/A/08/2078414**

**25 Sunnydale Avenue, Patcham, Brighton, East Sussex BN1 8NR**

- 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 Richard Salvage against the decision of the Brighton and Hove City Council.
- The application (Ref:- BH2008/00859), dated 8 March 2008, was refused by notice dated 28 April 2008.
- The development proposed is the erection of a two-storey rear extension.

## Decision

1. I allow the appeal and grant planning permission for the erection of a two-storey rear extension at 25 Sunnydale Avenue, Patcham, Brighton, East Sussex BN1 8NR, in accordance with the terms of the application (Ref BH2008/00859), dated 8 March 2008, and the plans submitted therewith (Nos:- 479/01 and 479/02), 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 and finishes to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building in colour, style, bonding and texture.

## Main Issues

2. The main issues are firstly, the visual effects of the development on the character and appearance of the area and, secondly, the impact the extension would have on the living conditions of the occupiers of the adjoining houses.

## Reasons

3. The character of Sunnydale Avenue is one derived from its arrangement of closely-grouped, predominantly two-storey detached and semi-detached houses set on even building lines. There is little uniformity to the appearance of the buildings, many of which appear to have been altered in various ways over a period of time. The appeal property is a detached, two-storey house of quite modest proportions and floorspace in comparison to the nearby dwellings. It is proposed to enlarge the dwelling by extending it at the rear with a two-storey addition, projecting about four metres into the rear garden.

The extension would match the design of the host building in all key respects, with a pitched and hipped roof and brick elevations.

4. Concerning its effects on the character and appearance of the area, little of the extension would be seen from Sunnydale Avenue. Such limited visual impact as would be caused would be acceptable bearing in mind the remoteness of the development from any public vantage point, the varying styles and scale of the surrounding buildings and the fact that the extension has been designed to blend in with the appearance of existing building. On this issue I do not consider that there would be any conflict with the provisions of Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan.
5. As far as the impact of the development on the living conditions of the neighbours to each side of the property is concerned, the extension would be set in from both side boundaries. It would only project as far to the rear as the conservatory extension at No 27 Sunnydale Avenue which is set on slightly higher ground. Bearing in mind the distance between the two buildings and the way in which they are sited away from the common boundary, I consider that the degree of physical impact that the development would have on the occupiers of No 27 Sunnydale Avenue to be acceptable.
6. In respect of No 23 Sunnydale Avenue, the extension would be set back at first floor level to minimise its impact in relation to that dwelling. Being on the north side of that property, set in from the boundary and bearing in mind the positions of the windows within that dwelling, I do not believe that the appeal proposals would be unduly harmful in terms of excessive overshadowing or undue overbearing impact. To both sides of the appeal site overlooking would be avoided by the use of obscured glazing or high level windows to those rooms which have elevations facing towards the adjoining houses. I therefore conclude that in all respects the development would comply with the provisions of Policies QD2, QD14 and QD27 of the Local Plan on this issue.
7. As to conditions, the Council suggests that the materials and finishes to be used in the extension should in all respects match those of the existing building. I agree that such a stipulation is necessary in the interests of preserving the visual amenity of the area and I have imposed an appropriate condition accordingly. I have considered all the other matters raised, including the objections to the development made by the neighbours to the Council at the time it was considering the application, but nothing is of sufficient weight to override my conclusions above and the reasons for them.

*David Harmston*

Inspector