



Appeal Decision

Site visit made on 17 March 2009

by **Phil Grainger** BA(Hons) MRTPI

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

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**Decision date:
7 April 2009**

Appeal Ref: APP/Q1445/A/08/2086161

12 Arundel Drive East, Saltdean, Sussex BN2 8SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr D Freeman against Brighton & Hove City Council.
- The application ref: BH2008/02493, is dated 20 July 2008.
- The development proposed was described as a roof extension and alterations to the roof to provide accommodation at first floor.

Preliminary Matters

1. Since the appeal was made the Council have indicated that they would have refused permission on the grounds that the height, massing and design would relate poorly to the existing building and unbalance the group of bungalows thus forming an incongruent element in the streetscene.
2. In addition to the works described in the heading the proposal involves a rearward extension of the building by about 2.7m. The proposed new roof would extend over this extension.

Decision

3. I allow the appeal, and grant planning permission for the development described in the heading and paragraph 2 above in accordance with the terms of the application, ref: BH2008/02493, dated 20 July 2008, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until full details including, where appropriate, samples of the materials to be used in the construction of the external surfaces of the alterations and additions hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 3) No development shall take place until details of how demolition and construction waste will be recovered and reused have been submitted to and approved in writing by the local planning authority and the approved details shall subsequently be complied with.

Main Issues

4. The main issues are the effect on the character and appearance of the area and the living conditions of neighbouring residents.

Inspector's Reasoning

5. The appeal property is a bungalow in a varied residential area comprising houses and some bungalows, many of which have had some accommodation formed in the roof space. The road it is on has development on one side only. On the other is a mostly open recreational area that contains some community

- facilities. This area occupies the bottom of a valley leading up from the coast which is a short distance to the south.
6. The residential development rising up from the open area is clearly visible from within it as well as the roads around its perimeter. In these views it can be seen that the roofline of the buildings mostly follows the slope of the land. I consider this to be a pleasing feature that, in general, is worth retaining. However, there are already some exceptions to it. Of particular significance for this appeal is the fact that, although no. 12 has 3 bungalows to the north of it, to the immediate south are several houses.
 7. Despite the fall of the land, the 2-storey house (no. 10) next to no. 12 has a higher roofline than the existing bungalow on the appeal site. Thus the general flow of the roofs is already interrupted at this point. In these circumstances, raising the height of no. 12 to something more like that of no. 10 would not have the harmful effect that it might have in some other locations and I do not consider it to be unacceptable in principle. Indeed the resulting building could be seen as providing a transition between the bungalows to the north and the houses to the south.
 8. In addition, despite the Council's concerns, the houses to the south, as well as other properties in the wider area, include half-hipped (or 'barn ended') roofs and I do not therefore consider that these would be an inharmonious feature on the appeal property. Moreover, the adjoining houses also have some very substantial roof planes sloping down in places from a full 2-storey ridge line to single storey eaves level. In this context I do not consider that the roof proposed at no. 12 would appear excessively large or bulky or that the building would appear 'top heavy'.
 9. I accept that the character and form of the existing building would be substantially changed. However, it is not a building designated as being of any special merit and in my judgement such a loss would not be harmful to the character or appearance of the area, especially as I consider that the resulting building would appear appropriate in scale and general proportions for its context. In addition, the proposal would not materially alter the mix of houses and bungalows in the area even if that is taken to be a matter of significance. Moreover, I consider that the bungalows in this group are sufficiently different in their appearance for there to be no serious loss of harmony or balance.
 10. Turning to more detailed matters, the use of two dormers on the front elevation would be unusual in the area. However, there are several dwellings that include a dormer and another forward facing element. Moreover, whilst the more northerly of the dormers would be wider than the window below, contrary to the advice in the Council's Supplementary Planning Guidance (SPG), it appears to be narrower and better proportioned than that on the immediately adjoining bungalow. As for the other, although its design and proportions are rather unusual I saw that some other properties on Arundel Drive East have real or Juliet balconies in front of dormer windows. Taking all this into account, I consider that the proposed dormers would not significantly detract from the character or appearance of this particular area.
 11. The use of rooflights on the front roof plane would also be unusual in the area and contrary to the thrust of the SPG. However, they are aligned with openings below and are quite small so that they do not dominate the roof. In addition, they would be seen in the context of at least one other rooflight or similar

- feature, albeit in that case positioned on a rear roof slope. On balance I consider that neither the rooflights nor the gable end to the garage is sufficient to make the proposal as a whole appear seriously out of keeping or unacceptable in this particular context. Moreover, the dormers and rooflights on the rear would be barely visible in public views.
12. Subject to a condition regarding materials I conclude that there would be no material conflict with the aims of Policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan. I have however modified the suggested condition as the current roof would effectively be replaced and it may not therefore be necessary to match the existing materials precisely.
 13. As for effects on local residents, although the proposal involves extending out at the rear as well as raising the roof I consider that the neighbours on either side would not be materially affected by an extension of the size proposed. Those living at the rear would experience a change in their outlook. However, at the distances involved the effect would be well within that normally regarded as acceptable in respect of both outlook and privacy, especially as the properties to the rear are at a higher level. Indeed even in this locality the relationship would be no worse, and arguably better, than already exists between, say, the bungalows at nos. 9 & 11 Chichester Drive East and the two-storey houses on Arundel Drive East behind them. In these circumstances, and having regard to national advice on such matters, I do not consider that a condition restricting the insertion of additional windows is necessary.
 14. I have had regard to all other matters raised, including the extensions and alterations constructed or permitted on other nearby properties. I have also taken into account development plan policy on minimising demolition and construction waste. However, I share the Council's view that this could be dealt with by a condition, though I have sought to simplify the one suggested. Neither these nor any of the other matters raised are therefore of such significance either individually or cumulatively to affect my conclusions. For the reasons set out above and having taken all other relevant considerations raised into account I conclude that the appeal should succeed.

P Grainger

INSPECTOR

