



# Appeal Decision

Site visit made on 2 June 2010

by **David Prentis BA BPI MRTPI**

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

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**Decision date:**  
**9 June 2010**

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## Appeal Ref: **APP/Q1445/D/10/2126163** **2 Lustrells Vale, Saltdean, Brighton BN2 8FE**

- 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 Jason Leach against the decision of Brighton & Hove City Council.
- The application Ref BH2009/02789, dated 16 November 2009, was refused by notice dated 8 January 2010.
- The development is described as *resubmission of application BH2009/01349 for a proposed two storey rear/side extension*.

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### Decision

1. I dismiss the appeal.

### Main issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

3. The appeal site is located within a suburban residential area where the individual properties are set back to more-or-less consistent building lines which follow the curving road alignments. This layout, combined with the sloping terrain, results in an open and spacious character. No 2 Lustrells Vale is a chalet bungalow with a half-hipped roof containing two front-facing dormers. It stands at the end of a line of similar properties fronting Lustrells Vale on a corner plot adjacent to the junction with Bishopstone Drive. The side boundary to Bishopstone Drive is enclosed with a substantial hedge. The ground rises steeply to the rear so that the back garden and the adjoining section of Bishopstone Drive are at a significantly higher level than the ground floor level of the chalet bungalow.
4. The proposed extension would take up most of the available space between the existing flank wall of the dwelling and the side boundary. Consequently, it would be unduly dominant in views along Bishopstone Drive, in which it would appear to be uncharacteristically close to the footway. In my view this would result in a cramped effect which would detract from the spacious character of the area.
5. The extension would wrap around the side and rear of the existing dwelling on two storeys. This would result in a large and bulky extension with an extensive area of flat roof. I consider that it would be out of scale with the host building

and that the flat roof would be out of keeping with the pitched roofs which predominate in this locality. Moreover, due to the sloping nature of Bishopstone Drive, the upper parts of the side and rear elevations and the flat roof would be readily apparent in the street scene, notwithstanding the presence of the boundary hedge.

6. I appreciate that the design incorporates features, such as a slightly reduced ridge height, a set-back to the front elevation, a pitched section around the flat roof and tile hanging to the first floor, which are intended to respect the design of the original building. Nevertheless, in my view these features would not be sufficient to mitigate the sheer scale and bulk of the proposed extension.
7. The appellant draws attention to a two storey rear extension nearby at No 1 Lustrells Vale. Whilst that extension shares some design features with the appeal proposal, I do not consider it to be as bulky or as dominant as the appeal scheme would be. In any event, it is not characteristic of the area as a whole. It is also suggested that a large extension could be constructed as permitted development. However, there is no alternative scheme before me and any such proposal would no doubt be subject to the usual limitations on permitted development rights. I therefore attach little weight to this possibility. Whilst I note that there have been no objections from neighbouring residents, I shall form my own view on the merits of the appeal having regard to the development plan and other material considerations.
8. I conclude that the proposal would be harmful to the character and appearance of the area. It would be contrary to Brighton and Hove Local Plan 2005 Policy QD14 which states that extensions to buildings should be well designed, sited and detailed in relation to the property to be extended and the surrounding area. It would also be contrary to Policy QD2 which stresses that design should take account of local characteristics, including the scale and bulk of existing buildings and the layout of streets and spaces.
9. I have considered all other matters raised but find nothing to alter my conclusions. For the reasons given above, the appeal should not succeed.

*David Prentis*

Inspector