



# Appeal Decision

Site visit made on 12 November 2009

by **Keith Manning BSc (Hons) BTP MRTPI**

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

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**Decision date:**  
**7 December 2009**

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## Appeal Ref: APP/Q1445/A/09/2108159

### 30 Goldstone Way, Hove, East Sussex BN3 7PB

- 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 Ignacy Lechowicz against the decision of Brighton & Hove City Council.
- The application Ref BH2009/00501, dated 2 March 2009, was refused by notice dated 11 May 2009.
- The development proposed is front extension to match existing elevation and porch infill; new external access stairs, landing and approach.

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## Decision

1. I dismiss the appeal.

## Procedural Matter

2. The above description differs from that on the original application form but corresponds to that on the Council's decision notice and the appeal form. The original description is not entirely consistent with the submitted drawings in that the proposed front extension would not represent a true mirror image of the existing front gable, albeit that it would be very similar. For clarity and consistency I have therefore deployed the more recent description for the purposes of this appeal decision.

## Main issues

3. The primary issue is the effect of the proposed development on the character and appearance of the area with particular regard to the street scene. A secondary but nonetheless important issue is the alleged lack of detail in the application drawings concerning the manner in which the proposed enclosed porch area to accommodate a wheelchair would integrate with the proposed alterations to the front of the dwelling.

## Reasons

4. The appeal site is a detached bungalow elevated above Goldstone Way with an integral garage at street level, above which there is a single front facing gable subordinate to the main roof of the dwelling. To the east there are 2 pairs of semi-detached bungalows that appear to have been built at the same time as No 30. Their original wholly symmetrical design and appearance, which includes matching front facing gables, has been diluted, but to only a limited extent, by individual small alterations to their front elevations. To the west there is a further detached dwelling of similar age but individual appearance.

5. Although No 30 as designed is asymmetric by virtue of the single front facing gable above the garage, I see no reason in principle why a further front facing gable could not be successfully assimilated in the design of the house and the overall street scene, even if not subordinate in size to the original gable, to create a double-fronted appearance. Although it would not replicate the rhythm of the more widely spaced gables on the neighbouring semi-detached bungalows, the building is in any event different from those neighbouring dwellings and from its detached neighbour to the west. Moreover, the existence of the low level integral garage and the stepped garden to the side of the driveway renders overall symmetry within the street scene practically unachievable. Within that context and, bearing in mind that small changes to the appearance of neighbouring dwellings pairs of dwellings intended to be wholly symmetrical have occurred, I am not persuaded that either the lack of total symmetry implicit in the proposal or the lack of distinctly discernible subordination of the proposed second gable would, of themselves, be changes sufficiently harmful to the building or the street scene to conflict unacceptably with the intentions of the saved local plan policies cited by the Council, namely QD1, QD2 and QD14.
6. That said, it is incumbent on applicants for planning permission to put forward drawings that are both workable and complete and in this instance it has not been demonstrated that the plain glass infill, which is integral to the proposal (and, as the Council maintains, not permitted development) can be accommodated in terms of the necessary junctions between its roof, the main roof slope and the sloping roofs of the twin gables envisaged. The ramifications of that apparent discrepancy and the appearance of any necessary support structures or door mechanisms within the glazing could be visually harmful in a significant way given the elevated and central position of the proposed lobby area. Although it is open to local planning authorities to request further information or amendments prior to determining an application, the Council in this case appears not to have done so and that is not a course open to me. Nor am I satisfied in the circumstances that the potential harm to the appearance of the building could be acceptably overcome by the imposition of a condition to secure appropriate amendments. On that basis, I conclude that the proposal as it stands would not accord with the intentions of the local plan policies cited, as they are essentially concerned with the achievement of acceptable designs.
7. It appears from the representations that the appellant has a number of issues with the Council concerning the handling of this application and other proceedings, but those are not matters for me. I have taken into account all the other matters raised including the personal circumstances of the appellant and his wife and the matter of Human Rights, the observance of which is implicit in the right of appeal. However, none are sufficient to outweigh my overall conclusion that, for the above reason, the appeal should be dismissed.

*Keith Manning*

Inspector