



# Appeal Decision

Site visit made on 30 August 2011

**by Ann Skippers BSc (Hons) MRTPI**

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

**Decision date: 8 September 2011**

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## **Appeal Ref: APP/Q1445/D/11/2157199**

### **17 Rigden Road, Hove, East Sussex BN3 6NP**

- 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. and Mrs. M. Charles against the decision of Brighton and Hove City Council.
  - The application Ref BH2011/01446, dated 18 May 2011, was refused by notice dated 14 July 2011.
  - The development proposed is 'removal of existing garage and erection of a two storey extension'.
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## **Decision**

1. The appeal is allowed and planning permission is granted for the removal of [the] existing garage and erection of a two storey extension at 17 Rigden Road, Hove, East Sussex BN3 6NP in accordance with the terms of the application, Ref BH2011/01446, dated 18 May 2011, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 11-106/Loc 2A, 11-106/10, 11-106/11A, 11-106/12.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## **Main Issue**

2. The main issue in this case is the effect of the proposal on the character and appearance of the host property and surrounding area.

## **Reasons**

3. No 17 is a detached property along Rigden Road. It is a property of unusual appearance in that it has a hipped roof to the north side and a cat slide gable end to the south, but there are other properties along the street of similar design. The appeal property is on a wide plot and has a substantial garden. At present there is a detached garage set back from the road broadly in line with the existing rear elevation of the property. It is proposed to construct a two
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storey rear extension across the width of the property and replace the garage with a two storey side extension which would effectively 'sit' behind the existing dwelling joining onto the rear extension.

4. One of the most noticeable characteristics of Rigden Road is the enormous variety and difference of designs, styles and detailing of the dwellings along this road. Many of the properties have been extended and altered which adds interest to the street scene and in itself is an important attribute of, and forms a large part of, the character and appearance of the street.
5. Given the great variety of the street scene with its plethora of dwelling types and alterations and the property's immediate context, next to a large and imposing dwelling to the south, No 15, which has an inset two storey flat roofed extension with a roof terrace and the pair of properties to the north, the proposal would not look out of place. The side extension would be set back some eight metres from the front of the dwelling which itself is set back from the road. In addition it would have a hipped roof with its ridge sitting below the dominant ridge of the cat slide roof. Both factors would further help to integrate the proposal into its surroundings by ensuring that the extension would read as a subordinate element rather than as an incongruous or overly wide or bulky addition.
6. Accordingly, the proposal would have an acceptable effect on the character and appearance of the host property and the surrounding area. The proposal would therefore accord with Policy QD14 of the Brighton and Hove Local Plan 2005, which, amongst other things, requires extensions to be well designed, sited and detailed in relation to the host property and adjoining properties.
7. The appellants also draw my attention to a recently approved application ref BH2011/01445 for extensions to the property arguing that a precedent has been set. I have had regard to this other scheme, and the likelihood of its implementation, but as I have found that the appeal proposal to be acceptable on its own merits, there is no need for me to further consider any fallback position.
8. I have considered the conditions put forward by the Council in the light of the advice in Circular 11/95. In addition to the standard commencement condition, I have added a condition requiring the development to be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is also necessary to safeguard the character and appearance of the area.
9. For the reasons given above and having had regard to all other matters raised, the appeal should be allowed.

*Ann Skippers*

INSPECTOR