



# Appeal Decision

Hearing held on 3 December 2008

Site visit made on 3 December 2008

by **Wm C Cunningham BSc(Hons) MA**  
**MCP MRTPI**

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

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**Decision date:**  
**12 December 2008**

## Appeal Ref: APP/Q1445/A/08/2073976

### 2 Northgate Close, Rottingdean, Brighton, BN2 7DZ

- 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 Sodeau against the decision of Brighton & Hove City Council.
- The application Ref BH2008/00177, dated 11 January 2008, was refused by notice dated 8 April 2008.
- The development proposed is extensions and alterations.

### Procedural Matters

1. The above description of the development, which has been completed but not in accordance with a scheme approved on 11 January 2007 (Application Ref BH2006/03116), is as provided on the application form. As accepted at the Hearing a more accurate description would be "*to raise the roof on the appeal property to provide first floor accommodation, together with a rear two storey extension – retrospective*".
2. As also accepted at the Hearing, the ridge on the front half hipped gable feature as completed is the same height as the main roof ridge and not as shown on the south east elevation on Plan G, and that the relative locations of the first floor windows on the north west elevation as completed do not comply with those shown on the elevation drawing (Plan G) and the floor plan (Plan F). I have considered this appeal on the basis of the building as completed and as viewed at my site inspection.

### Main Issue

3. The main issue in this case is whether the overall scale and visual impact of the development materially harms the suburban character and appearance of the surrounding locality.

### Reasoning

4. The completed scheme differs from that approved in January 2007 in two principal respects. The first is that the main and rear roof ridges are about 0.6m higher than those on the approved scheme. The second is that the ridge on the front gable feature is at the same height as the main ridge and not about 0.4m lower as shown on the approved scheme. The front gable feature is therefore about 1m higher than as shown on the approved scheme, has an eaves level on the north west corner that is similarly about 1m higher than as approved, and it meets the north facing roof slope on the integral garage higher than as approved. As accepted at the Hearing, the rear extension is the same as that approved.
5. The appeal building is one of 10 individually designed detached dwellings grouped around Northgate Close. Those on the south west side of the road, including the appeal property, were designed and originally built as relatively low properties. A

principal feature of these was and is their extensive roofs, the prominence of which is enhanced by the properties being located below the level of the road. Those on the north side are two storey dwellings on land elevated above the road that are therefore visually prominent in the street scene.

6. As can be ascertained by comparing Plans D and G, the appeal building as extended is now between about 1.8m and 3m higher than the original single storey building. It is therefore significantly higher and more visually prominent in the street scene than the original dwelling. In contrast to the approved scheme, it is also marginally higher than Gate Cottage, the adjoining property to the north west, and its front gable feature is also higher and wider than a similar feature on Gate Cottage and on the front of the nearby No 6.
7. The relative prominence of the appeal property within that part of the street scene represented by the properties on the south west side of Northgate Close is enhanced by its location in front of the adjoining dwellings (Gate Cottage and No 4) but is mitigated by its having a main ridge about 9m long that is some 2m less than the ridge on Gate Cottage. Its prominence on the south west side of the road is however significantly eclipsed by the scale and visual impact made by the elevated two storey properties on the north east side of the road. I do not therefore consider it represents an overly dominant built structure in the wider street scene and does not materially harm the character and appearance of the surrounding locality. It does therefore comply with Policies QD1(a), QD2(a) and QD14(a) in the Brighton & Hove Local Plan 2005 and the relevant provisions of the Supplementary Planning Guidance (SPG) publication "*Roof Alterations & Extensions*" and is acceptable.
8. In the light of the above I have allowed this appeal. The Council confirmed at the Hearing that no conditions are required to impose controls on the building as existing.

### **Other Matters**

9. All other matters raised in the written representations and at the Hearing have been considered, including references to the Council having described the front gable feature as a dormer when applying the provisions of its Supplementary Planning Guidance (SPG) publication "*Roof Alterations & Extensions*". References to this feature in the officer report and in the Council's Statement refer to it as a "dormer style roof extension", an expression that clearly refers to the front gable feature as shown on the elevation drawings (Plan G). Whilst reference to text in the SPG that deals with dormers may not in this case be directly applicable, I consider the Council is correct in applying the thrust of the SPG policy document that supplements design policies in the Local Plan and deals with all forms of roof alterations. These other matters do not outweigh the main considerations that have led to my decision.

### **Decision**

10. I allow the appeal, and grant planning permission to raise the roof on the appeal property to provide first floor accommodation, together with a rear two storey extension – retrospective, at 2 Northgate Close, Rottingdean, Brighton in accordance with the terms of the application, Ref BH2008/00177, dated 11 January 2008, and the plans submitted with it.

*Wm C Cunningham*

Inspector

## APPEARANCES

### FOR THE APPELLANT:

Mr M J Lewis DiplArch(Dist)	Agent – Architectural and Planning Consultant.
Mr M Sodeau	Appellant. 2 Northgate Close, BN2 7DZ.
Mrs M Sodeau	- ditto -

### FOR THE LOCAL PLANNING AUTHORITY:

Miss Kathryn Boggiano	Planning Dept, Brighton and Hove City Council.
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## DOCUMENTS

- 1 Hearing notification letter and address list.
- 2 Hearing attendance list.

## APPEAL PLANS

- A Location Plan – OS extract at 1:1250 scale.
- B Site Plan – Scale 1:500.
- C Drawing No A191 01 – Original plan.
- D Drawing No A191 02 – Original Elevations.
- E Drawing No A191 03A – Existing Ground Floor Plan.
- F Drawing No A191 04A – Existing First Floor Plan.
- G Drawing No A191 10 – Existing Elevations and Section.

