



# Appeal Decision

Site visit made on 20 January 2009

by **Colin Tyrrell MA(Oxon) CEng MICE FIHT**

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

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**Decision date:**  
**23 January 2009**

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## Appeal Ref: APP/Q1445/A/08/2079258

### 138 The Ridgway, Woodingdean, Brighton BN2 6PA

- 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 Sergeant against the decision of Brighton & Hove City Council.
- The application Ref BH2007/03528, dated 12 September 2007, was refused by notice dated 3 March 2008.
- The development proposed is a two-storey side extension.

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## Decision

1. I allow the appeal, and grant planning permission for a two-storey side extension at 138 The Ridgway, Woodingdean, Brighton BN2 6PA in accordance with the terms of the application, Ref BH2007/03528, dated 12 September 2007, 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) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or roof lights other than those expressly authorised by this permission shall be constructed.
  - 4) No development shall take place until a written Waste Management Statement confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the local planning authority. The measures shall be implemented in strict accordance with the approved details.

## Main Issue

2. In my opinion, the main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. Residential development in this part of Woodingdean is very mixed, including recent stepped terraced housing opposite the appeal site in Ridgeway Gardens and slightly older terraces set further up the downland on Connell Drive. Set at

a lower level are the bungalows in Millyard Crescent, and alongside the appeal site are a variety of detached two-storey houses, none of which is identical to that on the appeal site.

4. The proposed two-storey extension would change the plan-shape of the house from rectangular to L-shaped, and would link it to the single detached garage. The alterations would include replacing the existing flat roof to the garage with a pitched roof which would be hipped at the front.
5. In the particular circumstances of the appeal site, I see no need for the extension to appear subsidiary to the host property, as would perhaps be preferable in a line of similar dwellings. It seems to me that the extension together with the host property would be seen as a co-ordinated whole, and that the incorporation of the garage into the main property under a pitched roof would be a positive gain in the streetscene.
6. I conclude that the proposals represent high quality design which is sympathetic to the existing building and would comply with saved Local Plan Policies QD2 and QD14. For these reasons, and taking into account all other matters raised, I conclude that the proposals accord with the development plan and that I should allow the appeal.
7. I have considered the conditions suggested by the Council in the event of the appeal succeeding in the light of the contents of DoE Circular 11/95 "The Use of Conditions in Planning Permission". In addition to the standard timing condition, I agree that the external finishes should be controlled in the interests of character and appearance and that the addition of extra windows should be controlled in the interests of neighbours' living conditions. Although the works are relatively small scale, I accept that it is appropriate to seek a waste minimisation statement in the interests of sustainability.

*Colin Tyrrell*

INSPECTOR