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## Appeal Decision

Site visit made on 15 May 2017

**by Chris Forrett BSc(Hons) DipTP MRTPI**

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

**Decision date: 23<sup>rd</sup> June 2017**

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**Appeal Ref: APP/Q1445/W/16/3165872**

**Arundel Court, Arundel Road, Brighton BN2 5TX**

- 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 Jack Woodward of Sevenbuild Freeholds Ltd against the decision of Brighton & Hove City Council.
  - The application Ref BH2016/01733, dated 11 May 2016, was refused by notice dated 7 July 2016.
  - The development proposed is a roof conversion to form 2No, 1 bed penthouse flats (resubmission of BH/2016/00202).
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### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The appeal site is located in a mixed use area with retail, industrial and residential premises within the immediate vicinity of the site. The existing building comprises of three storeys with residential and commercial uses on the ground floor and further residential accommodation on the first and second floors. The second floor accommodation is within the mansard style roof. There are two stair towers which project from the front elevation to give a vertical element to the otherwise horizontal nature of the buildings design. The building itself does not exhibit any special architectural interest.
  4. The proposed development would add further dormer windows above the existing second floor windows and create a large flat roof area between the two extended stair towers. To the rear this would also include two vertical 'fire walls' which would project beyond the existing roof plain and would form the side walls of the extended roof.
  5. The extension of the stair towers and the proposed vertical fire walls at the rear to the ridge line of the roof would appear as an overly dominant feature giving the building a top heavy appearance. The section of roof at the rear, between the two fire walls would have the bulk of an overly large box dormer, and would be significantly out of character with the design and appearance of the host building and the surrounding development. Additionally, the new
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dormer windows above the existing dormers would further exacerbate the incongruity of the proposed development.

6. Whilst I do not find that the principle of a crown roof is unacceptable given that other flat roof buildings existing in the immediate locality, or the rendering of the stairwells, this does not overcome the significant harm I have already identified.
7. For the above reasons, the development would result in significant harm to the character and appearance of the host building and the wider area in conflict with Policy QD14 of the Brighton and Hove Local Plan 2005, Policy CP12 of the Brighton and Hove City Plan Part One (2016) and the Supplementary Planning Document 12 'Design Guide for Extensions and Alterations' which amongst other matters seek to proposals are well designed, sited and detailed in relation to its host property, adjoining properties and the surrounding area.

*Other matters*

8. The proposal would result in the provision of two additional dwellings which would assist in the delivery of much needed new housing. Whilst the provision of much needed new housing is clearly a benefit this does not outweigh the harm I have identified.
9. I have also had regard to the concerns raised in the representations from the Council's consultation period on the application, and through the appeal consultation period including matters such as possible disruption from building works, the impact on communal areas and facilities, maintenance costs, asbestos, access, safety and parking issues.
10. Had I been minded to allow the appeal, matters such relating to the construction process could have been controlled by suitably worded planning conditions. In respect of the other matters, none of them add to the reason for dismissing this appeal.

**Conclusion**

11. Taking all matters into consideration, I conclude that the appeal should be dismissed.

*Chris Forrett*

INSPECTOR