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Appeal Decision

Site visit made on 23 July 2018

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2018

Appeal Ref: APP/Q1445/D/18/3202580
Lanterns, The Green, Rottingdean, Brighton BN2 7DD

- 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 Nicholas James against the decision of Brighton & Hove City Council.
- The application, Ref. BH2018/00602, dated 24 February 2018, was refused by notice dated 26 April 2018.
- The development proposed is the conversion of attic space with three dormers to the front roof slope and three rooflights to the rear roof slope.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed dormers on the character and appearance of the existing dwelling and whether as a consequence the character or appearance of the Rottingdean Conservation Area would be preserved or enhanced.

Reasons

3. I saw on my visit that the appeal building is part of a group of former farm buildings now used for residential purposes that include the Grade II listed Challoners and Little Challoners and the locally listed Court Barn. As an historic feature with an appearance that serves as a reminder of the agricultural origins of the settlement around The Green, the group makes a valuable contribution to the significance of the conservation area as a designated heritage asset

4. The Council's objection to the appeal proposal is that the insertion of dormer windows would spoil the appearance of *the long uninterrupted clay tile roof'* of Lanterns, considered to be a key feature of the building's significance and thereby making an important contribution to the character and appearance of the conservation area.

5. In principle I consider this judgement is correct, and although the grounds of appeal refer to other dormers approved by the Council in the Rottingdean Conservation Area I consider that this is a type of development in which the individual circumstances of each building and its setting must prevail.

6. That said, the proposal would cause '*less than substantial harm'* to the significance of the designated heritage asset under Government policy in Section 16: 'Conserving and Enhancing the Historic Environment' of the National Planning Policy Framework 2018 ('the Framework'). In these circumstances paragraph 196 of the Framework applies, whereby '*this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.*

7. I consider that full and effective use as a dwelling including accommodation in the roof space is not only needed to meet the family needs of the appellant, but is also a public benefit that fits within both this definition and the more detailed explanation in paragraph 020 Reference ID: 18a-020-20140306 of the Government's Planning Practice Guidance 2014. This includes heritage benefits but also has a wider remit.

8. However, whilst I conclude on the main issue that the proposed dormers would not preserve the character and appearance of the conservation area and would therefore be in conflict with Policies QD14 & HE6 of the Brighton & Hove City Plan Part One 2016, I am also of the view that the public benefit in this instance would not outweigh the harm caused.

9. On the other hand, this may well not be the case with a revised scheme that causes less harm. And in this regard I note that the 'Conservation Areas and Buildings of Local Interest' section of the Council's Design Guide for Extensions and Alterations SPD 2013 indicates a flexible approach that seeks to accommodate development, including roof extensions, in conservation areas, whilst maintaining the heritage credentials of buildings.

10. However, further guidance on a compromise proposal does not fall within the scope of my determination of this appeal and for the reasons explained the appeal is dismissed.

Martin Andrews

INSPECTOR