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## Appeal Decision

Site visit made on 13 November 2018

**by P Wookey BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 7<sup>th</sup> December 2018**

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**Appeal Ref: APP/Q1445/W/18/3200342**

**3rd and 4th Maisonette, 18 Chesham Road, Brighton BN2 1NB**

- 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 Peter Nunn against the decision of Brighton & Hove City Council.
  - The application Ref BH2018/00222, dated 23 January 2018, was refused by notice dated 27 March 2018.
  - The development proposed is the addition of two front roof-lights, two rear roof-lights and remodelling of existing front dormer.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The appeal form refers to two front roof-lights, two rear roof lights and remodelling of existing front dormer. I note that the two rear roof lights and remodelling of existing front dormer were approved and partially implemented under application Ref: BH2017/03253. Therefore this appeal decision will focus on the two front roof-lights.

### Main Issue

3. The main issue is the effect of the two front roof-lights on the character and appearance of the host building and the surrounding East Cliff Conservation Area.

### Reasons

4. No 18 Chesham Road (No 18) forms a group, No 16-19 Chesham Road, of Victorian properties, located within the East Cliff Conservation Area (ECCA), a designated heritage asset. While I have not been provided with a conservation area appraisal, from my site visit and the evidence before me I consider that the significance of the ECCA derives, in part, from its architectural interest and historical significance as part of the growth of Brighton as a seaside resort. No 18 has retained many of its Victorian architectural features over its four storeys and thus makes a positive contribution to the significance of the ECCA. It is sub divided and the appeal relates to the upper floor, which is contained within the roof space and has previously been altered to include a roof cut to allow for a dormer on the front (south) elevation and a dormer to the rear (north) elevation.

5. The properties along Chesham Place, the road leading to Chesham Road from the seafront to the south, are Grade II Listed Buildings. No 18 is visible from Chesham Place and Marine Parade. Some of the neighbouring properties on Chesham Road have dormers which are prominent in the street scene, and I note that there are existing examples of front roof-lights elsewhere in the locality.
6. The proposal is for two roof-lights to the front elevation, which would sit alongside the existing remodelled dormer. Within the context of the roof scape of No 18 and the group of properties in the terrace, the proposal to add two further roof-lights would be visible from Chesham Place to the south, though I accept less so from the street level immediately below. I note that as conservation style rooflights, they are proposed to be set flush with the roof tiles and low in the roof plane, limiting obtrusiveness. Nevertheless, they would add unsympathetic clutter to the appearance of the immediate roof scape and the principal elevation of the building, visible from the public realm, and therefore would harm the character and appearance of not just the host property, but also the surrounding East Cliff Conservation Area.
7. Given the modest scale of the proposal, I consider that the harm arising to the significance of the ECCA would be less than substantial in the context of paragraphs 195 and 196 of the revised National Planning Policy Framework. Such harm should be balanced against any public benefits that the scheme might bring. I understand that the proposal would improve light to an attic bedroom, but this would be extremely limited as a public benefit. No other benefits have been put to me. Harm to a designated heritage asset is a matter of considerable importance and weight, and so is not outweighed by public benefits in this case.
8. Supplementary Planning Document SPD12 2013 states that roof-lights should be located discretely such that they are not readily visible from the street. Policies QD14 and HE6 of the Brighton and Hove Local Plan 2016, amongst other things, seek to preserve or enhance the character and appearance of an area, including Conservation Areas, through sympathetic development. I have concluded that in relation to the proposed two front roof-lights, the effect would be to cause harm to the host property and the surrounding East Cliff Conservation Area and therefore it would be contrary to the policies of the development plan and the SPD cited above.

### **Other Matters**

9. I note that the appellant has referred to roof alterations to neighbouring properties. The Council has indicated that these do not have the benefit of planning permission, or were permitted prior to current policy and guidance. In any event, I have considered the merits of the proposal before me.

### **Conclusions**

10. Therefore, for the reasons given above, the appeal is dismissed.

*Paul Wookey*

Inspector