



Appeal Decision

Site visit made on 13 October 2009

by **JP Roberts BSc(Hons) LLB(Hons) MRTPI**

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

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Decision date:
21 October 2009

Appeal Ref: APP/Q1445/D/09/2112292

"Fourwinds" 16 Hillside Way, Withdean, Brighton, East Sussex BN1 5FE

- 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 Tim Ward against the decision of Brighton & Hove City Council.
- The application Ref BH2009/01345, dated 6 February 2009, was refused by notice dated 31 July 2009.
- The development proposed is a pitched roof front dormer and pitched roof porch.

Decision

1. I dismiss the appeal.

Main issue

2. The effect on the character and appearance of the surrounding residential area.

Reasons

3. The appeal site is occupied by a split level bungalow on a steeply sloping hillside. Hillside Way is occupied by a variety of detached houses, some being two storey dwellings, whilst there are also a number of bungalows. Dormer windows are not a prominent feature of houses in the road, but as there is such diversity in appearance amongst the dwellings, I do not consider that this matters.
4. The Council's concerns centre on the position of the proposed dormer, and its juxtaposition with the four existing rooflights and the proposed porch roof. The roof of the porch would overlap with the roof of the projecting gable, but the degree of overlap would be slight, and whilst there would be some degree of incongruity, I consider that it would be minor.
5. The proposal would not comply with the Council's Supplementary Planning Guidance (SPG) in that the top of the dormer would be level with the top of the roof, and the cill would be well above the eaves level, contrary to the guidance which seeks dormers to be set down from the top of the roof, and cills to be just above the roof slope. In this case, the roofslope is relatively shallow, and a dormer located just above the bottom of the slope would appear awkward, and would be too low to serve the proposed bedroom.
6. I have greater concern about the height of the dormer. I consider that it is good design practice to keep the height of dormers below the ridge height of the main roof, and in conjunction with its wide span, I agree with the Council that it would not meet the high design standards that are sought in national

and local policies, including Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) and Policies QD1 and QD14 of the saved Brighton and Hove Local Plan 2005, which deal with design quality and extensions and alterations.

7. I have had regard to the rear flat-roofed dormer already present which can be seen from the road to the south, and which extends to the ridge height, but I see that as a bulky and intrusive feature and I do not see it as an example to replicate.
8. The proposed dormer would also be close to the rooflights, but as they are almost flush features in the roofplane, and because the bungalow is set well back and above the height of the road, they are not prominent. However, cumulatively the proposed dormer and porch in addition to the rooflights would create a much busier roofscape, and would detract from the simple lines of the existing building.
9. I therefore conclude that the proposal would cause material harm to the character and appearance of the surrounding residential area and would conflict with the development plan policies to which I have referred.
10. On my visit I looked at the other houses in Hillside Way referred to me by the appellant. None is exactly comparable to the appeal proposal, and I do not know the circumstances in which they were approved. Neither these examples nor the lack of objection from Hillside Way neighbours are sufficient to alter my conclusions.
11. For the reasons given above I conclude that the appeal should be dismissed.

JP Roberts

INSPECTOR