



Appeal Decision

Site visit made on 23 March 2010

by **P E Dobsen MA (Oxon) DipTP MRTPI**
FRGS

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

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Decision date:
25 March 2010

Appeal Ref: APP/Q1445/D/10/2121552 53 Windmill Street, Brighton BN2 0GN

- 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. L. Needham-Park against the decision of Brighton & Hove City Council.
- The application (Ref BH2009/01344), dated 4 June 2009, was refused by notice dated 30 July 2009.
- The development proposed is "dormer loft extension".

Decision

1. I dismiss the appeal.

Procedural matter

2. As the development at issue has been implemented, I have dealt with the application as a retrospective one for its retention.

Main issue

3. The main issue in the appeal is the effect of the dormer loft extension as built on the appearance of the host property, and the wider area.

Reasons

4. 53 Windmill Street is a small Victorian terraced dwelling house, located near the southern end of the street and on its eastern side. This is a high density residential area (Queens Park), nearby to the north east of the main centre of Brighton. At the rear, the house backs onto terraced dwellings in Stanley Street. It has a flat roofed extension at the rear, to which a new glazed door in the completed extension might potentially give access.
5. I saw during my site inspection that although the majority of the dwellings on this side of Windmill Street have not undergone major roof level alterations, a few have had loft conversions. Some of these involve full-width extensions at the rear and are clearly visible from the appeal site, and at least one more is currently under construction. I understand from the Council's statement that some at least of these loft extensions were built several years ago as permitted development, and indeed the present appellant was under the genuine impression that his scheme was permitted development before construction works began.

6. Relevant development plan policies are in the Brighton and Hove Local Plan (LP, 2005), and the Council has also drawn my attention to the guidance in its supplementary planning (SPG) guidance note 1, Roof Alterations and Extensions. I am required to determine the appeal in accordance with the development plan, unless material considerations indicate otherwise.
7. LP Policy QD14 (extensions and alterations) sets out design criteria for these categories of residential development, and further advice is given in the SPG. I am in little doubt that this loft extension contravenes the policy and guidance for all the reasons given in the Council's statement. In short, it is not well-designed, as it is too high and wide and not set back within the roof; its door and window openings are poorly related to the rear elevation of the house and to its other fenestration; and it is inappropriately clad using an unduly large expanse of artificial weatherboarding. All this makes it appear excessive in size and scale, unattractively box-shaped, and incongruously related to the original design and external materials of the house. In my opinion, therefore, it detracts from the appearance of the building, from its immediate surroundings, and from the rear of the street block in general.
8. I accept that the completed development is not visible from the surrounding streets, nor from other public viewpoints. Nevertheless, it can be clearly seen from many of the houses in Windmill Street and in Stanley Street. I also accept that the other completed loft extensions in the street affect its existing character and appearance; however, I agree with the Council that these are not to be regarded as encouraging precedents for the design of any future loft conversions in this street block, or in the locality more generally.
9. I have considered all the other points mentioned in the grounds of appeal, but there are none which alter or outweigh my main findings. These are that the development as completed is harmful to the appearance of the host property, and the wider area, contrary to the relevant development plan policy and to the Council's supplementary planning guidance. As there are no other material considerations, the appeal must therefore fail.

Paul Dobsen

INSPECTOR