



Appeal Decision

Site visit made on 27 July 2010

by **John Chase** MCD Dip Arch RIBA MRTPI

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

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Decision date:
23 August 2010

Appeal Ref: APP/Q1445/D/10/2129650

51 Church Street, Brighton, East Sussex, BN1 3LF

- 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 Mike Lancaster against the decision of Brighton & Hove City Council.
- The application Ref BH2010/00226, dated 26 January 2010, was refused by notice dated 19 March 2010.
- The development proposed is the erection of a dormer over an existing loft stair in order to create sufficient head clearance.

This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 4 August 2010.

Decision

1. I dismiss the appeal

Main issue

2. I consider that the main issue is the whether the development would preserve or enhance the character or appearance of the Conservation Area and of the existing building.

Reasons

3. The property is part of an older terrace of four storey houses within the Montpelier and Clifton Hill Conservation Area. The front elevations of this block are of most importance, and there is a limited view of the rear roof of No 51. Nonetheless, it is the whole building which contributes to the character of the Conservation Area, rather than just its more visible façades and, despite the diminished significance of the rear elevation, it is still necessary to ensure that any change is not unduly out of keeping.
4. The proposed dormer window is of vertical shape and would fill in the space between a recessed horizontal dormer and the adjoining property, which itself contains a large dormer. The overall effect would produce a cramped and unplanned appearance to the roof, with little regard for its original massing or proportions. Most of the adjoining rear roofs have dormer windows, amounting to box extensions in some cases, and these form part of the character of the terrace. However, I saw nothing in these other examples which would justify the more random appearance of this proposal.

5. I recognise that there is a functional need for the dormer window in order to provide headroom for the staircase serving the upper floor attic bedroom. It is certainly the case that headroom is limited, and would not meet current building standards. However, this appears to be a long standing situation, to which the occupants would have become adjusted, and it is not uncommon for older buildings to fall short of modern levels of access; indeed there are other parts of this house with limited headroom. Nor is there a compelling case to show that the window is essential to provide adequate fire escape from the building.
6. Overall, I consider that the need for the proposal does not outweigh the harm which would be caused to the appearance of the building. Policies QD1, QD14 and HE6 of the Brighton and Hove Local Plan include reference to the requirement for a high standard of design, which takes account of the existing building and its surroundings. This advice is amplified in the Council's publication *Supplementary Planning Guidance Note 1:Roof Alterations and Extensions* which includes the advice that dormers should respect the particular character of the building and be carefully related to it. I consider that the development would not achieve these objectives, and I therefore conclude on the main issue that it would fail to preserve or enhance the character or appearance of the Conservation Area and of the existing building.

John Chase

INSPECTOR