



Appeal Decision

Site visit made on 24 August 2010

by Sheila Holden
BSc MSc CEng TPP MICE MRTPI FCIHT

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
20 September 2010

Appeal Ref: APP/Q1445/A/10/2125995 **25 Hazeldene Meads, Brighton BN1 5LR**

- 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 Steve McLean against the decision of Brighton & Hove City Council.
- The application Ref BH2010/00242, dated 28 January 2010, was refused by notice dated 25 March 2010.
- The development proposed is roof extension to south end, 2 front dormer windows and extended porch structure, including 9 No PV solar panels on rear roof structure.

Decision

1. I dismiss the appeal.

Procedural matters

2. The spelling of the address was changed on the appeal form. I have used the corrected address, "Hazeldene," on this appeal decision. The application form on the file was undated. I have therefore referred to the date on which the Council received the application on this decision.
3. On the Council's decision notice the proposed development is described as "hip to gable roof extension to south including 3 No. dormers, 1 No. rooflight and pitched roof porch extension at front elevation. Installation of 9 No. Solar Panels to rear over existing dormer." I consider this to be a more accurate description of the development and have used this in my determination of the appeal.
4. The Council based its decision on drawing Nos. 29762/1 & 2A, dated 10/09 and submitted on 28 January and 29762/3, dated 01/10 and submitted on 8 March 2010. No 2A, which is described as the existing situation, shows the rear dormer window before any works were undertaken but shows velux rooflights on the front roof slope which are not present on the existing building. The rear dormer has already been enlarged slightly and a porch has been constructed at the front. The Council has confirmed that these works are permitted development. None of the drawings submitted with the application or the appeal accurately illustrate this situation.
5. After the application had been determined the appellant sought to amend the scheme, reducing the size of the rear dormer and replacing the third front dormer with a roof light. This scheme is also shown on drawing No 29762/3 but has amendments on it dated 3 March and 28 June. I understand that the Council intend to make a separate decision in relation to this scheme. I have

not taken it into consideration in my determination of this appeal which relates solely to the scheme illustrated on the original drawing No 29762/3 and refused by the Council on 25 March 2010. I confirmed this approach with the main parties at the site visit.

Main Issue

6. The main issue is the effect on the character and appearance of the host property and the surrounding area of the:
 - a) hip to gable roof extension;
 - b) extension of the rear dormer window;
 - c) insertion of three dormer windows and a rooflight in the front roof slope;
 - d) installation of 9 solar panels.

Reasons

7. Hazeldene Meads is characterised by detached bungalows and two-storey houses on modest sized plots. Many of the bungalows have an identical form with a protruding gable facing the road and the remainder of the front elevation set back and having an extended pitched roof. The bungalows are frequently set out as mirrored pairs with either the gables or the pitched roof element adjacent to each other. Whilst gaps between the buildings are generally small the estate, nevertheless, has a spacious appearance enhanced by the presence of mature gardens and grass verges. Although there are features that provide rhythm and uniformity to the street scene extensions and alterations have been undertaken which now provide the area with greater variety and an increased sense of individuality to some of the properties. The details of the proposals are set out in some detail above and I will deal the effects of each element in turn.

The hip to gable roof extension

8. No 25 is a bungalow which was originally identical in its design to many others on the estate. It is mirrored with No 27. However, whereas the other mirrored pairs on the opposite side of the street remain in their original state, No 27 has already been substantially extended. The alignment of the road and the space between it and No 29 allowed No 27 to add a double width garage with a gabled roof. Some of the symmetry between Nos. 25 and 27 has therefore been lost.
9. On the other side No 23 is a two storey detached house. It has also been enlarged with the construction of a two-storey extension comprising a double garage with accommodation above. This has significantly closed the gap between it and No 25. The proposed hip to gable extension would be above and the same width as the existing garage of No 25. It would further close the gap between the two properties but there would still be a distance of approximately 3.5m between the buildings. Such a separation distance is not dissimilar to others on the estate. Furthermore, I consider that the difference in the shape and form of the two properties, combined with the set back of the extended pitched roof would reduce the appearance of a terracing effect arising from the reduction in the gap between the buildings. I am therefore not

persuaded that this element of the proposal would result in harm to the character and appearance of the area.

Extension of the rear dormer window

10. The rear dormer window is a dominant feature of the rear elevation of the house which occupies almost the full width of the roof slope. It has already been extended and now protrudes beyond the slope of the gable so that it can also be seen from the front. In my view it is a bulky feature which detracts from the appearance of the building and pays little regard to the scale and proportions of the existing dwelling. Whilst it may not be highly visible from the street scene it seems to me that it could be seen from the gardens of a number of the surrounding properties given the layout of the estate and the relatively shallow rear gardens. Any enlargement of it would therefore also be apparent, increasing its prominence from the surrounding area.
11. The Council has approved guidance on roof alterations and extensions which is relevant in this case: Supplementary Planning Guidance: *Roof Alterations and Extensions*, (SPG). It sets out a number of design guidelines emphasising the importance of ensuring that roof extensions must respect the character of the host building and be carefully related to it. The guidance illustrates the harm that can be caused by unduly bulky dormers.
12. In this context I consider that the existing dormer does not comply with the current guidance, notwithstanding that the enlargement already undertaken is permitted development. I am therefore of the opinion that any further extension of this dormer window would be harmful to the character and appearance of the host property and the surrounding area even though its visibility from the public domain is limited.

Insertion of 3 dormer windows and a roof light in the front roof slope

13. The dormers proposed for insertion into the front roof slope appear to have been designed in accordance with the principles set out in the SPG. They would be set centrally above existing windows and doors and would be of appropriate proportions. I note that whilst the Council has not raised any objection to them a number of neighbours have expressed concern. None of the bungalows in the immediate vicinity of No 25 and which share its original design and overall shape, have front facing dormer windows. On my site visit I saw an example of a single small dormer on a property in The Beeches. However, the original design of this house is different to No 25 and the window was inserted into a secondary elevation set back further from the road and much less visible than would be the case here. I therefore consider it not to be comparable with the appeal proposal.
14. In my view the insertion of three dormer windows would fundamentally change the appearance of this bungalow, making it look much more like a two storey house and introducing features which would be alien and incongruous in the context of the immediately surrounding street scene. Added to this I consider that the proposed rooflight would be too deep as it would sit immediately below the ridge of the roof and its glazing would be prominent in its position above the front porch. For these reasons I consider that the front dormer windows and rooflight would fail to reflect the style and character of the other

bungalows in the vicinity of No 25 and would be harmful to the appearance of the surrounding area.

Installation of 9 solar panels

15. I appreciate that the appellant is totally committed to refurbishing his property to create a zero-carbon dwelling and that to do so would require a large number of solar panels. I also recognise that the orientation of No 25 means that it would be necessary to position the solar panels at particular angles in order that they would be able to capture the sun's energy efficiently. On my site visit I saw that solar panels are already a feature of a number of the surrounding properties and that in some cases they are positioned prominently on the buildings. There is therefore no objection in principle to the use of solar panels on No 25.
16. I saw that one of the panels had been installed at the correct angle on the flat roof of the dormer and in isolation it seems to me that this single panel was not visually intrusive. However, I consider that the positioning of 9 such panels across the full width of the dormer would accentuate their visibility above the ridge line and would make the roof appear cluttered. Furthermore, the quantity that is proposed within this development would be significantly different from that which I saw on other dwellings in the area where the number of panels was either more restricted or more proportionate to the size, height and scale of the buildings hosting them. I am therefore of the view that the introduction of so many solar panels along the ridge of this bungalow would be harmful to the character and appearance of the host dwelling and the surrounding area.

The overall proposals

17. I appreciate that the appellant has been working for a number of years to make his home an exemplar of sustainability which does not require the use of any external energy sources. The Local Plan supports proposals which demonstrate efficient use of energy, water and materials provided that they accord with other development plan policies. Similarly, generation of energy from renewable resources is supported subject to similar caveats. However, the laudable desire to make a development sustainable does not mean that other material planning considerations should not also be taken into account as part of the overall assessment of a proposal.
18. Drawing the threads of my assessment together I conclude that, on balance, the harm that would be caused by the extension of the rear dormer, the introduction of dormer windows and a rooflight in the front elevation together with the proliferation of solar panels which would be seen along the ridge of the roof would outweigh the lack of harm arising from the hip to gable extension on the southern side of the bungalow. I therefore conclude that the proposal would result in harm to the host property and to the character and appearance of the area, contrary to saved Policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Councils' SPG: *Roof Alterations and Extensions*, all of which require extensions and alterations to be of a high standard that respects the layout and character of the area.

Other matters

19. The Council has confirmed that the front porch, which has already been constructed, is permitted development. In any event its form and scale mirrors that which has been constructed at No 27 and I consider it to be acceptable, notwithstanding the concerns raised by neighbours.
20. I acknowledge that other extensions and alterations, including the enlargement of No 23, have been carried out to other properties within Hazeldene Meads and The Beeches in recent years and I took the opportunity on my site visit to look at various features in the locality. However, I do not have full details of any of the individual schemes or how they were assessed by the Council. I therefore consider them not to be directly comparable with this proposal which I have assessed and determined in the light of the evidence presented, my observations at the site visit and having regard to the development plan.
21. I note the appellant's concern that the Council has given insufficient weight to the aim of creating a zero-carbon development and that the decision to refuse the application has been overly influenced by neighbours who have expressed opposition to his proposals. However, it is not for me to comment on the way in which the Council has handled this application in the context of a Section 78 appeal. My role in this matter is confined to considering the appeal proposals afresh on their planning merits.

Conclusions

22. For the reasons given above and having regard to all other matters raised by main and third parties, I find nothing in them either individually or collectively, outweighs the decision I have reached to dismiss the appeal.

Sheila Holden
INSPECTOR

