



Appeal Decision

Site visit made on 18 September 2010

by **Stuart M Reid** D Arch (Hons) RIBA

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

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Decision date:
22 September 2010

Appeal Ref: APP/Q1445/D/10/2134474 29 Honey Croft, Hove, East Sussex BN3 8EZ

- 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 Edward James against the decision of Brighton & Hove City Council.
- The application Ref BH2010/01328, dated 2 May 2010, was refused by notice dated 25 June 2010.
- The development is proposed front dormers.

Decision

1. I allow the appeal, and grant planning permission for proposed front dormers at 29 Honey Croft, Hove, East Sussex BN3 8EZ in accordance with the terms of the application, Ref BH2010/01328, dated 2 May 2010, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: numbers 477/01 and 477/02.
 - 3) The materials to be used in the construction of the external surfaces of the dormers hereby permitted shall match those used in the existing building.

Main issue

2. The main issue is the effect that the proposed dormers would have on the character and appearance of the appeal building and thus on the surrounding urban area.

Reasons

3. Honey Croft is on the northern edge of Hove, and is a typically hilly road with a variety of house designs and styles, mainly 2 storey. Due to the slope across the road, some dwellings are effectively 3 storeys with a built-in garage at ground floor level. The appeal building is one half of a semi-detached pair and a similar pair is next door. The building has a garage at ground floor level, living accommodation at first floor level, and bedrooms at second floor level in the roof. They are currently lit by a dormer window at the rear and rooflights at the front, to the street.

4. The adjoining dwelling has an existing single dormer at roof level, and the adjoining pair of dwellings has a single dormer to each dwelling at roof level, which are of differing designs, locations and dimensions. These 3 dwellings seem to be untypical of the road in that they were built as bungalows above the garage level, and now appear to have further accommodation added at roof level. The Officer's Report states that "... the aforementioned dormers in the vicinity of the application property are presumed to have been constructed under permitted development ..." It is a matter of record that, if they have been constructed as permitted development, it is because Parliament has found them to be acceptable, and thus deemed permission was granted. Even if they were not permitted development, the Council has not found it expedient to take enforcement action. They are, in any case, perfectly acceptable in views in the street, as dormers are not uncommon in achieving daylight to rooms in the roof, and usually not visually unacceptable or harmful.
5. The proposal is, by contrast, for a pair of dormers. They repeat the window pattern at first floor level, with a flat felt roof over, and plain tile hanging to their cheeks. They therefore respect the design of the existing house by repeating the window pattern and using tiles which are characteristic of the street, where brick, render and tile predominate as the local materials of choice. The Council's concerns about visual unbalance are not supported by any evidence as to the harm that it would cause. Indeed, I saw that many dwellings in the area, and not only semi-detached dwellings, have an asymmetric design, which is very much in keeping with local character, and brings welcome richness and variety to the street scene, without harm.
6. Furthermore, as 2 separate dormers as opposed to the full width dormer at the rear, they would be smaller and less obtrusive, and in keeping with the scale of the existing dormers on the front elevations. They would have scarcely any impact in views up and down the street, and would certainly not have a harmful impact in those views. In addition, function is an important component of design, and the dormer windows would clearly improve the living conditions at second floor level, with increased daylight and views, without causing harm to either the appeal building or to the surrounding area. The fact that other designs and types of house may not have this functional need for daylight and view at this level should not be allowed to prevent an acceptable design being permitted in these particular circumstances.
7. The street benefits from its diversity of design within a restrained overall palette of simple materials and designs, and it is appropriate for each proposal to be considered on its merits including function as well as form. With conditions to control materials, and to ensure that the scheme is built in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning, I consider that the proposed dormers are wholly acceptable and appropriate, would fit in well with the streetscene, and thus they would accord with Policies QD1, QD2, and QD14 of the Brighton and Hove Local Plan, and the Council's Supplementary Planning Guidance **SPG^{BH}** note 1. For the reasons given above I conclude that the appeal should be allowed.

Stuart M Reid

INSPECTOR