



Appeal Decision

Site visit made on 31 August 2010

**by M A Champion BSc CEng FICE
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**an Inspector appointed by the Secretary of State
for Communities and Local Government**

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**Decision date:
8 September 2010**

Appeal Ref: APP/Q1445/D/10/2132783 45 Hillcrest, Westdene, Brighton, BN1 5FP.

- 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 Jon Rangecroft against the decision of Brighton & Hove City Council.
- The application ref: BH2010/01344, dated 29 April 2010, was refused by notice dated 30 June 2010.
- The development proposed is: the erection of a single storey rear extension and dormer window to front.

Decision

1. I allow the appeal and grant planning permission for the erection of a single storey rear extension and dormer window to front at 45 Hillcrest, Westdene, Brighton, BN1 5FP, in accordance with the terms of the application, ref: BH2010/01344, dated 29 April 2010, subject to the following conditions:
 - 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with Drawings No 01/Rev 0 and 02/Rev 0, both dated April 2010.
 - 3) All materials and finishes to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the building and the street scene.

Reasons

3. Policy QD14 of the Brighton & Hove Local Plan 2005 deals with extensions and alterations, and is supported by Supplementary Planning Guidance *SPGBH1: Roof Alterations and Extensions*.
4. The appeal site lies in a residential area on the southern side of Hillcrest. It comprises a semi-detached bungalow and is surrounded by a mix of similar bungalows and houses.

5. The proposal would construct a rear extension and a dormer on the front roof slope. The Council does not object to the rear extension and I can find no planning reason to do so.
6. While I concur with the Council that individual front dormers generally detract from the appearance of a uniform street scene, particularly when semi-detached properties predominate, each case should be considered on its own merits.
7. In this instance the southern side of the road consists largely of similar semi-detached bungalows, a significant number of which have had alterations to the roof slope by means of dormers, roof lights and hip to gable conversions. Although the Council states that none has been constructed with planning permission since 1999, these alterations nevertheless exist. The number of these alterations, which I observed are distributed along the road, is such that, in my opinion, they form part of the street scene and further similar alterations could not, in principle, be said to be out of keeping.
8. The proposed dormer would be set below the ridge and well above the eaves with significant space on each side. The roof would reflect the design of the main roof while the window would align with that on the ground floor below and be of similar style. With the use of matching materials, which could be secured by condition, it would, I consider, appear as a well proportioned addition to the building adding interest to its appearance. It would not be so bulky as to detract from the character of the dwelling or to have an adverse effect on the street scene.
9. I acknowledge that it would result in an unbalanced semi-detached pair in this respect, but the roofline of its neighbour, No 47, has already been altered so that the original symmetry no longer remains. Having regard to the size, design, location and materials of the proposed dormer it would not, in my opinion, result in significantly increased harm to this pair of dwellings. On the contrary, I consider that it would be well designed, sited and detailed in relation to the dwelling, adjoining properties and the surrounding area.
10. Neighbouring residents express their concern at the demolition of the existing garage, excavation close to their boundaries, construction of a boundary fence, damp ingress, future maintenance and the removal of internal walls. These, however, are either not part of the appeal before me, or are not material planning considerations but are subject to other legislation.
11. I conclude, therefore, that the proposal would not adversely affect the character and appearance of the building or the street scene, and would comply with Policy QD14.

Conditions

12. I have considered the need for conditions, and those suggested by the Council, in the light of Circular 11/95: *The Use of Conditions in Planning Permissions*. A condition is required as it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

13. I shall also impose a condition requiring the use of matching materials in the interests of character and appearance.

14. I base all conditions on the model conditions of the Circular.

M A Champion

INSPECTOR

