



Appeal Decision

Site visit made on 4 October 2010

**by M A Champion BSc CEng FICE
FIStructE FCIHT FHKIE**

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

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**Decision date:
18 October 2010**

Appeal Ref: APP/Q1445/D/10/2136234 85 Valley Drive, Brighton, BN1 5FF.

- 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 Chris Evans against the decision of Brighton & Hove City Council.
- The application ref: BH2010/01814, dated 7 June 2010, was refused by notice dated 4 August 2010.
- The development proposed is: alterations to loft conversion and single storey extension.

Preliminary matters

1. The description given above is taken from the application form. Having regard to the Council's refusal notice, I consider that a more complete description is the erection of a single storey rear extension, a roof extension incorporating a hip to gable end conversion to the rear, an additional dormer to the eastern roof slope and associated works. I shall deal with the appeal on this basis.

Decision

2. I allow the appeal and grant planning permission for the erection of a single storey rear extension, a roof extension incorporating a hip to gable end conversion to the rear, an additional dormer to the eastern roof slope and associated works at 85 Valley Drive, Brighton, BN1 5FF, in accordance with the terms of the application, ref: BH2010/01814, dated 7 June 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 Drawing No EV/01, dated 21 May 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

3. The main issue is whether the proposed development would result in an unacceptable alteration to the side roof slopes.

Reasons

4. 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*.
5. The appeal site lies in a residential area on the southern side of Valley Drive. It comprises a detached bungalow with a roof conversion including dormers on each side and is surrounded by a mix of bungalows and houses to a variety of designs.
6. The proposal would construct a small rear infill extension, convert the rear roof hip to a gable end, replace the existing flat-roofed dormers with smaller dormers having pitched roofs, and construct a new dormer on the eastern side roof slope, together with associated works including internal alterations and the insertion of a rooflight in the western side roof slope. The Council does not object to the rear extension, the hip to gable conversion or the associated works, and I can find no reason to do so.
7. The proposed dormers would all be of similar size and design and would be significantly smaller than the existing dormers. These are large massive structures which add significant bulk to the building at high level, and with their flat roofs do not appear to be in keeping with the original building.
8. The proposed dormers would have pitched roofs to match the existing roof slopes. The resulting significant reduction in bulk combined with the matching roof form would, I consider, enhance the appearance of the building.
9. While I acknowledge the advice of SPG regarding the width and positioning of dormers with respect to ground floor windows, I do not consider this to be an overriding consideration in this case. The side elevations of the dwelling are not directly visible except from the neighbouring properties, and from here only at short range. In such views the relationship between dormers and ground floor windows is unlikely to be discernible. I observed that this was not a matter for concern in views from the street.
10. In any event there are very few windows in the ground floor side elevations, and I consider that it would be neither practicable nor reasonable to require that the dormers be of similar width and positioned above them.
11. I conclude, therefore, that the proposed development would not result in an unacceptable alteration to the side roof slopes, 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

