



Appeal Decision

Site visit made on 5 January 2010

by Simon Miles BA(Hons) MSc MRTPI

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

Decision date: 26 January 2011

Appeal Ref: APP/Q1445/A/10/2137076

Flat 2, 195A Church Road, Hove, East Sussex BN3 2AB

- 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 Tom Norrell against the decision of Brighton and Hove City Council.
 - The application Ref BH2010/02192, dated 12 July 2010, was refused by notice dated 8 September 2010.
 - The development proposed is 'Velux' roof windows on rear elevation to form rooms in the roof.
-

Procedural Matter

1. Work on the proposed development, as described above, has already commenced and I have considered the appeal accordingly.

Decision

2. I allow the appeal and grant planning permission for 'Velux' roof windows on rear elevation to form rooms in the roof at Flat 2, 195A Church Road, Hove, East Sussex BN3 2AB in accordance with the terms of the application Ref BH2010/02192, dated 12 July 2010, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1206/04E, 05D, 06D and 07A.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Old Hove Conservation Area.

Reasons

4. The appeal relates to a residential flat occupying the upper part of a mid-terraced property fronting onto Church Road. The site is within the Old Hove Conservation Area, which derives much of its special character from its fine stock of period properties, including the traditional terrace of which the appeal property is a part.
-

5. Nevertheless, in this particular case the terrace derives its quality mainly from the front elevation, which is prominent in the street scene and finely detailed. The rear elevation is largely hidden and has a more functional appearance with variations extensions and alterations, including rooflight windows not dissimilar in design to those proposed at the appeal property. Furthermore, the proposed rooflight windows would be at a high level and completely hidden from public view by the surrounding buildings. Indeed, during the course of my visit it proved very difficult to obtain any external views of the windows at all.
6. The design of the proposed rooflight windows does follow in all respects the guidelines given in the Council's adopted Supplementary Planning Guidance Note 1: Roof Alterations and Extensions, particularly as the windows are not designed to lie completely flush with the roof tiles. However, the windows only project slightly above the roof tiles and they are set within a simple plain grey surround. Whilst not as slim as some 'conservation' style windows, they are not overly bulky or prominent in appearance and would not extend across an excessive proportion of the roof slope.
7. For these reasons I find that the character and appearance of the Old Hove Conservation Area would be preserved by the proposed development. I take this view even allowing for the fact that a number of rooflight windows would be grouped together, particularly as the development is neither visible from the public realm nor prominent in views from any other buildings. My assessment is therefore based on the particular circumstances of this appeal and, as such, there is no reason why my decision should be seen as setting an undesirable precedent.
8. It follows that there is no conflict with saved Policies QD1, QD2, QD14 and HE6 of the adopted Brighton and Hove Local Plan 2005, insofar as these policies seek to ensure that development makes a positive contribution to the visual quality and character of the parent building, environment and locality, whilst preserving or enhancing the character or appearance of conservation areas.
9. For the reasons given above, I find that the appeal should succeed. Otherwise than as set out in this decision and conditions, it is necessary that the development should be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I will therefore impose a condition detailing the relevant plans. No other conditions are necessary as the development has already commenced and full details are contained on the approved plans. I allow the appeal and grant planning permission accordingly.

Simon Miles

INSPECTOR