



---

# Appeal Decision

Site visit made on 12 January 2011

by **Peter Bird BSc DipTP MRTPI MRICS**

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

Decision date: 20 January 2011

---

## Appeal Ref: APP/Q1445/D/10/2141238

### 179 Hangleton Valley Drive, Hove, East Sussex BN3 8FE

- 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 John Paris against the decision of Brighton and Hove City Council.
  - The application Ref BH2010/02193, dated 14 July 2010, was refused by notice dated 6 September 2010.
  - The development proposed is a loft conversion with front and rear dormers to form 2 bedrooms, a dressing room and bathroom/w.c.
- 

### Decision

1. I dismiss the appeal.

### Procedural Matters

2. The appeal was lodged by Mr & Mrs J M Paris, however, the planning application was submitted by Mr John Paris as I have shown above.
3. Although the proposed development for which planning permission is sought includes a rear dormer extension, the appellant contends that planning permission is not required for this part of the proposal. Whether or not planning permission is required is not a matter for me to determine in the context of an appeal made under section 78 of the above Act. It is open to the appellant to apply for a determination under sections 191/192 of the above Act to determine this matter. My determination of this appeal under section 78 of the above Act does not affect the issuing of a determination under sections 191/192 of the same Act.

### Main Issue

4. The main issue is the effect of the proposal on the area's character and appearance, having regard to the appearance of the host dwelling and the pair of semi-detached properties, Nos 177 and 179, of which it is part.

### Reasons

5. The appeal property is one half of a pair of semi-detached bungalows that are situated in a predominantly residential part of the built-up area of Brighton and Hove. Hangleton Valley Drive is quite a long road which contains a range of
-

dwellings of different types and styles, some of which, including Nos 177 and 179, have been altered and extended in the past. Nevertheless, bungalows are a distinctive feature along this side of the road. At this point in the street scene, the road falls away to the north, such that the topography together with the single storey scale of the bungalows and the low profile of their roofs are a significant influence on the area's character and appearance. Moreover, the mainly open plan frontages of the properties along the road enhance the spaciousness of the street scene.

6. The appellant argues that careful consideration was given to the front dormer's design. This dormer would be reasonably modest in size and would be set back from the eaves of the front roof. However, even though it would be centralised over the ground floor bay window, given its close proximity to No 177 and high position on the roof, it would appear unbalanced not only in relation to the host property but also to this pair of semi-detached properties. I note that such positioning would conflict with the Council's Supplementary Planning Guidance *Roof Alterations & Extensions* (SPG). Amongst its guidance on new dormers, it advises that whilst regard should be given to the arrangement of windows below, normally a single dormer should be positioned on the centre line of the building. As proposed, the front dormer would have an awkward and jarring effect that would detract from the appearance of this pair of semi-detached properties and their context in the street scene.
7. Turning to the proposed rear dormer, its scale would dominate the greater part of the rear roofslope and in so doing it would transform its appearance. The bulk of the bungalow's rear roof would be significantly increased, especially adding to the side elevation of the main dwelling so that it would be clearly visible in the adjacent street. As such the proposed rear dormer would detract from the form of the bungalow and be visually intrusive to the street scene.
8. Other properties with roof alterations have been drawn to my attention and I viewed these at my visit. However, whilst there are a significant number of roof alterations in the vicinity of No 179, they are not the representative characteristic of bungalows along the greater length of this side of Hangleton Valley Drive. Furthermore, I understand that most of those referred to are likely to have been built as permitted development. Moreover, these other examples do not justify the detriment to the street scene in the vicinity of the appeal site that would result from this proposal.
9. I find that the proposal would have a harmful effect on the area's character and appearance, having regard to the appearance of the host dwelling and the pair of semi-detached properties of which it is part. In this regard it would conflict with the Brighton & Hove Local Plan (LP) Policies QD1 and QD2, which seek to achieve a high standard of design and emphasise and enhance the positive qualities of the local neighbourhood, and more particularly LP Policy QD14 and the Council's SPG which relate to roof alterations and extensions.
10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Peter Bird*

INSPECTOR