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# 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: 1 February 2011**

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## **Appeal Ref: APP/Q1445/A/10/2138480**

### **68 Upper Gloucester Road, Brighton BN1 3LQ**

- 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 Dale Strachan against the decision of Brighton and Hove City Council.
  - The application Ref BH2010/01710, dated 3 June 2010, was refused by notice dated 3 August 2010.
  - The development proposed is alterations to existing rear dormers and steps leading to existing roof terrace.
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## **Decision**

1. I allow the appeal and grant planning permission for alterations to existing rear dormers and steps leading to existing roof terrace at 68 Upper Gloucester Road, Brighton BN1 3LQ in accordance with the terms of the application Ref BH2010/01710, dated 3 June 2010, 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: 034\_PL\_001, 002 and 003.

## **Main Issue**

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the West Hill Conservation Area.

## **Reasons**

3. The appeal relates to a residential flat occupying the upper part of a mid-terraced property fronting onto Upper Gloucester Road. The site is within the West Hill 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.
  4. Nevertheless, whilst the front elevation of the terrace is finely detailed and prominent in the street scene, the rear elevation is largely hidden and has a more functional appearance with variations extensions and alterations. Indeed,
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- I could not see the roof of the appeal property from any of the surrounding streets. Although there would be limited views of the development from the upper floor windows of some of the neighbouring properties, this must be considered in the context of existing surrounding development, which includes a considerable number of dormer windows, both front and rear. Some of these other dormers are of considerable size and are far more prominent in the street scene than would be the case with respect to the appeal scheme.
5. Furthermore, whilst the proposed dormer is quite large, it would replace two existing box-shaped dormers which together extend across a similar proportion of the roof slope. Despite its size, the new dormer would be no higher than the existing dormers and would not extend across the full width of the roof. In the context of existing surrounding development, I do not consider that the development would appear overly large or visually discordant.
  6. Whilst the use of a folding door may not be traditional, given the wide variety of fenestration types to be found to the rear of both the appeal property and neighbouring buildings, this would not be unacceptable, particularly in view of the very limited views that would be possible of the development. The Council does not object to the treatment of the railings and associated works and I consider these elements of the scheme to be acceptable in design terms.
  7. Overall, I find that the character and appearance of the West Hill Conservation Area would be preserved by the proposed development. I take this view particularly as the development would be neither visible in the street scene nor unduly prominent in views from any other buildings. In this regard my assessment is 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 the proposal is acceptable in terms of saved Policies QD1, QD2, QD14 and HE6 of the adopted Brighton and Hove Local Plan 2005 and the Council's adopted Supplementary Planning Guidance Note 1: Roof Alterations and Extensions, insofar as these policies and guidance 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, in addition to the standard time limit. No other conditions are necessary as full details are contained in the application. I allow the appeal and grant planning permission accordingly.

*Simon Miles*

INSPECTOR