



Appeal Decision

Site visit made on 6 August 2008

by **Alison Lea MA(Cantab) Solicitor**

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

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Decision date:
21 August 2008

Appeal Ref: APP/Q1445/A/08/2066574 159 Ladies Mile Road, Brighton BN1 8TF

- 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 and Mrs S Thomas against the decision of Brighton & Hove City Council.
- The application Ref BH2007/03992, dated 24 October 2007, was refused by notice dated 4 February 2008.
- The development proposed is roof extensions.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the appeal property and on the surrounding area.

Reasons

3. The appeal property is a semi-detached bungalow located in a residential area characterised by similar properties. A number of neighbouring properties have been subject to roof extensions of a variety of forms, including the adjoining property, No 161 which has front and rear dormer windows. The proposal would alter the roof from a hipped to a half hipped roof and introduce dormer windows to the front and rear.
4. Although there are front and rear dormers at No 161, it retains a side hipped roof. The alteration proposed to the shape of the roof of No 159 would unbalance the pair of properties and would be contrary to advice in SPGBH Note 1 (the SPG) which has been adopted by the Council following public consultation and therefore attracts significant weight. This provides, amongst other matters, that roof extensions that alter the basic shape of the roof on a semi-detached house will be unacceptable as it leads to an imbalance between the pair and creates a visually heavy roof to one half. Although it also states that where one half of a semi-detached house has been altered and this has created an imbalance, a well designed alteration to the other half may be acceptable, this does not apply to this proposal as the basic form of the roof to No 161 has not been altered.
5. I note that there are a number of examples within the vicinity of the site where alterations have been carried out to the shape of the roof of one of a pair of

properties and have been provided with some information regarding proposals which have been permitted at Nos 155 and 165. However, I note the advice in the SPG that a small number of inappropriate roof alterations in a street will not be accepted as evidence of an established precedent. In my opinion, although within the vicinity of the site the number of roof alterations consisting of the insertion of dormers may not be small, nevertheless in the majority of properties, the basic roof form has not been altered, and the pairs where the roof is unbalanced serve to highlight the visual damage which is caused by the loss of symmetry. The existence of similar extensions is insufficient reason to permit otherwise unacceptable development.

6. With regard to the proposed dormer windows, I agree with the Council that, given that No 161 has an identical front dormer, the proposed front dormer would help to rebalance the pair of properties and accordingly would not appear incongruous or out of keeping with the street scene. The rear dormer would be larger than the dormer on the adjoining property and, contrary to advice in the SPG, would not be set within the roof slope. However, there is a large conservatory to the rear of the property and this together with the steep gradient of the land and mature planting would ensure that views of the dormer would be largely obscured. Accordingly I consider that in itself the large rear dormer would be insufficient reason to dismiss this appeal.
7. Nevertheless I conclude that the proposed alteration to the roof form would unbalance the pair of semi-detached properties to the detriment of their character and appearance and would cause harm to the surrounding area. The proposal would be contrary to Policy QD14 of the Brighton & Hove Local Plan 2005 which provides that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if they meet a number of criteria. These include that they are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.
8. I note the appellants' comment that the bungalow is quite small and that the alterations have been proposed to get the most out of the property. However, any benefits to the appellants in extending the property as proposed do not outweigh the harm which would be caused.

Alison Lea

INSPECTOR