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# Appeal Decision

Site visit made on 21 June 2011

**by Elizabeth Lawrence BTP MRTPI**

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

**Decision date: 27 June 2011**

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**Appeal Ref: APP/Q1445/D/11/2151617**

**2 Tongdean Place, Hove, East Sussex, BN3 6QW.**

- 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 Roberts against the decision of Brighton and Hove City Council.
  - The application Ref BH 2011/00159, dated 19 January 2011, was refused by notice dated 23 March 2011.
  - The development proposed is roof conversion of existing detached garage incorporating 3No. Dormers to south elevation and separate entrance with external stairs to east.
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## Decision

1. I allow the appeal and grant planning permission for roof conversion of existing detached garage incorporating 3No. Dormers to south elevation and separate entrance with external stairs to east at 2 Tongdean Place, Hove, East Sussex, BN3 6QW in accordance with the terms of the application, Ref BH 2011/00159, dated 22 October 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: ADC346, ADC346/01, ADC346/02, ADC346/03 Rev D, ADC346/04 Rev D.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
2. The views of local residents and other interested parties have been taken into account in reaching this decision.

## Main Issue

3. The main issue is the effect of the proposal on the appearance of the host building and the living conditions of the occupiers of 4 Tongdean Road with particular regard to visual impact.
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## Reasons

4. The proposed extension would increase the scale and bulk of the roof, although having regard to the proximity and size of the dwelling at 2 Tongdean Place, the resultant building would continue to have the appearance of a subservient ancillary domestic building.
5. Other than the introduction of barn hips the proposed front elevation would be the same as with the approved roof conversion scheme. It would retain the symmetrical appearance of the existing building and respect the character and appearance of the main dwelling.
6. The proposed side elevations, which would be largely screened from neighbouring dwellings, would be asymmetrical due to the introduction of a small section of flat roof. However it would not be out of character with the existing building and would sit comfortably within the front garden area.
7. The amount of flat roof would be materially reduced when compared to the previous scheme which was dismissed at appeal. Also, the depth of the rear roof slope would be increased and the amount of rear wall reduced. As a consequence the building would retain its existing character and appearance when viewed from the rear and the visual concerns raised to the previous appeal scheme would be fully addressed.
8. In particular, the rear wall would be approximately 2.2 metres in height and would be largely screened from the rear garden to 4 Tongdean Road by the existing boundary wall and fence. The ridge height of the enlarged roof and the pitch of the roof slope would be the same as the existing building. Whilst it would be closer 4 Tongdean Road, it would still be set back from the boundary and no part of the roof would overhang the garden to that property.
9. As a result, when viewed from the rear garden of 4 Tongdean Road, the visual difference between the existing and proposed building would be minimal. In addition, there would be no material loss of daylight or sunlight within the adjacent garden area.
10. Due to its secluded siting and overall appearance the resultant building would preserve the character and appearance of the Tongdean Conservation Area, as required by policy HE6 of the Brighton & Hove Local Plan 2003. The concerns raised regarding the appearance of the existing boundary fence are noted, however the fence does not form part of the Appeal application.
11. Finally, the Council has suggested the imposition of a condition relating to matching materials which is necessary to ensure that the building respects its surroundings. I also consider that it is necessary to impose a condition which requires the development to be carried out in accordance with the submitted drawings for the avoidance of doubt and in the interests of proper planning.
12. I conclude that the proposed roof extension would not materially detract from the appearance of the host building or have a materially adverse impact on the living conditions of the occupiers of 4 Tongdean Road due to visual impact. Accordingly the scheme complies with policies QD14 and QD27 of the Local Plan and the advice in the Councils Supplementary Planning Guidance – Roof Alterations. Collectively they seek to ensure that new development is designed

to a high standard, respects its surroundings and does not have a materially adverse impact on the living conditions of local residents.

*Elizabeth Lawrence*

INSPECTOR

