



Appeal Decision

Site visit made on 31 May 2011

by Roger C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MIL

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

Decision date: 13 June 2011

Appeal Reference: APP/Q1445/D/11/2150343
73 High Street, Portslade, Brighton BN41 2LH

- 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 M Griggs against the decision of Brighton & Hove City Council.
 - The application (reference BH2010/03647, dated 23 November 2010) was refused by notice dated 21 January 2011.
 - The development proposed is the "installation of two 'Solatube' daylight admitting devices between the roof and living room of the house".
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Decision

1. I dismiss the appeal.

Preliminary Points

2. The "description" of the proposal given in the relevant box of the application form includes a body of explanatory material which does not form part of the description itself and which I have therefore omitted from the description of the proposed development given in the above heading, though I have taken account of the information, of course.

Main issue

3. I have concluded that the main issue to be determined in this appeal is the visual effect of the proposed development on the appeal building and its setting.

Reasons

4. The appeal building at 73 High Street is set back from the road frontage, behind a modest but secluded front garden, with no private space behind the building. It is constructed in a traditional form with flintwork and brick facings under a plain tiled roof. It is now a cottage that has been created from a former forge, an outbuilding of 69-71 Kemps.
 5. The building at 69-71 Kemps is listed (Grade II) as a building of special architectural or historic interest and the site is located within the Portslade Old Village Conservation Area. The Council have argued that the appeal building is also protected by the listed building designation, as being "within the grounds of 69-71 Kemps", even though it now has a separate curtilage. On the basis of
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the limited evidence before me in this respect, I am not persuaded that the appeal building can properly be described as being "listed", and I have not considered it as such in determining this appeal.

6. The proposals which are the subject of this appeal involve the insertion of a pair of "Solatubes" to bring light to the ground floor living room through the roof. These "daylight admitting devices" (as described in the application) are formed by a dome fixed to the roof which would admit light to a diffuser at ceiling level through a tube with an internally reflective surface.
7. The new installation would introduce some natural light to recesses either side of the living room fireplace on the ground floor of the cottage. It is true that the living room is not particularly well lit by natural light but it is by no means unsatisfactory and is a pleasant room, with a character which reflects its historic quality. The new "light diffusers" in the ceiling would improve the availability of natural light but, in my opinion, they would not be particularly well suited to the traditional character of the building and would not amount to a significant improvement to the property, overall.
8. Externally, the domed rooflights would stand proud of the plane of the roof (by approximately 30 cm) and would be alien to the materials of the plain tiled roof, even though tiles could be laid across the necessary flashings, to reduce the visual impact. On the front of the building the dome would be apparent from the High Street, especially for visitors to the property itself. At the rear, only glimpses of the affected roof area can be obtained from the public realm but I have no doubt that the new dome would be clearly visible from adjoining properties.
9. I am sure that the domes would have an undesirable effect on the external appearance of the building, detracting from the simple form of the roof and undermining its architectural character. In my view the project would harm the appearance of the appeal building and would detract from its setting within the Portslade Old Village Conservation Area, albeit to a limited extent, because of the relatively small scale of the intervention. Nevertheless, it would conflict with policies aimed at protecting the historic environment and achieving good design, notably saved Policy HE6 of the Brighton and Hove Local Plan.
10. The practical benefit of the additional natural light in the living room would be extremely limited, in my view, and I am convinced that the advantages of the scheme would not outweigh the harm done to the appearance of the building. Hence, I have concluded that the scheme before me ought not to be allowed and, although I have considered all the matters raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR