



Appeal Decision

Site visit made on 19 September 2011

by J O Head BSc(Econ) DipTP MRTPI

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

Decision date: 7 October 2011

Appeal Ref: APP/Q1445/D/11/2157940

47 Rugby Road, Brighton, East Sussex BN1 6EB

- 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 & Mrs Lyon against the decision of Brighton & Hove City Council.
 - The application Ref BH2011/01568, dated 31 May 2011, was refused by notice dated 26 July 2011.
 - The development proposed is a loft conversion incorporating rooflights to front and rear and raising of ridge height.
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Decision

1. **The appeal is dismissed.**

Procedural matter

2. The planning application is described as "to create a second floor bedroom with an ensuite bathroom". The description in the heading above is that used by the Council, which more accurately reflects the alterations proposed.

Main Issue

3. The appeal property is a substantial 2-storey terraced house on the north side of Rugby Road, within the Preston Park Conservation Area.
4. The main issue is the impact of the proposed development on the character and appearance of the building and the street scene and whether, as a result, it would preserve or enhance the character or appearance of the conservation area.

Reasons

5. Rugby Road is part of a mature Victorian/Edwardian residential suburb on a hillside location to the east of Preston Park. It rises steeply from Stanford Avenue towards Ditchling Road and is lined with terraced and semi-detached houses which are staggered to follow the gradient. The resulting pattern of eaves and ridge lines creates an interesting roofscape and gives a distinctive character to the street scene. There are no existing roof alterations noticeable from the street in Rugby Road, other than a small dormer and some rooflights. The majority of these alterations are on the opposite side of the road to the appeal property.

6. The proposal involves raising the front and rear ridges of the 'M' section main roof of No 47 and linking these by a flat roof that would replace the existing internal valley. This would create a larger area of visible roof slope which, from the front, would appear incongruous in the context of the neighbouring houses and out of proportion with the design of the front elevation of the building. The resulting higher ridge line would interrupt the regular stepping down of ridges that is a particular feature of the local roofscape. In angled views from lower down the street it would be apparent that the new front ridge line would no longer align with the chimney stacks, which would create a discordant and awkward appearance, out of keeping with the existing roofs. The submitted drawings do not give full details of how the side elevations of the roof would be treated. However, from down the hill, the roof of the appeal property is seen as projecting above that of No 45. From that location it would be evident that the original 'M' roof form had been replaced by a flat roof and, presumably, a built up party wall. The proposal also includes the installation of rooflights to the new front and rear roof slopes which, whilst of "conservation" style, would not align with the fenestration below.
7. The Council's supplementary planning guidance *Roof Alterations and Extensions* advises that, where there are uniform terraces and groups of buildings, altering a roof's basic form or ridge height would not be appropriate and the presence of other inappropriate alterations in the street will not be accepted as a precedent. Guidance is also given on rooflights, which, in conservation areas, will not be accepted on prominent roof slopes visible from the street and should relate well to the scale and proportions of the elevation below. The appellants acknowledge that the proposed development would not comply with this guidance but consider that its impact would be minimal.
8. However, for the reasons given above, both the alterations to the shape of the roof and the installation of the proposed rooflights would be poorly related to the design of the existing building, incongruous in the context of the adjoining buildings, and harmful to the townscape and roofscape of the conservation area. That harm would be significant and in conflict with the requirements of Policies QD14 and HE6 of the adopted Brighton & Hove Local Plan. The proposed development would harm both the character and appearance of the building and the street scene and would fail to preserve or enhance the character or appearance of the conservation area. It is, accordingly, unacceptable and the appeal does not succeed.

John Head

INSPECTOR