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# Appeal Decision

Site visit made on 6 December 2011

**by Ray Wright BA(Hons) DipTP MRTPI**

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

**Decision date: 3 January 2012**

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**Appeal Ref: APP/Q1445/D/11/2164323**  
**14 Desmond Way, Brighton BN2 5PN**

- 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 Mrs Julie Page against the decision of Brighton and Hove City Council.
  - The application Ref BH2011/02219, dated 25 July 2011, was refused by notice dated 9 September 2011.
  - The development proposed is a 'single storey rear/ side extension and roof conversion with front dormer.'
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## Decision

1. The appeal is dismissed insofar as it relates to the dormer window and rooflights on the front roofslope. The appeal is allowed insofar as it relates to the remainder of the application and planning permission is granted for a single storey rear/ side extension at 14 Desmond Way, Brighton BN2 5PN in accordance with the terms of the application, Ref BH2011/02219, dated 25 July 2011 and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) With the exception of the dormer window and rooflights on the front roof slope shown on the plans the development hereby permitted shall be carried out in accordance with the following approved plan: 433/01.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

## Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

## Reasons

3. The appeal property is a semi-detached bungalow with a projecting gable feature. Adjoining its side boundary is a shared driveway, which leads to garages to the rear of the property. This form and layout is a characteristic feature of a number of other properties in the road. Although a conservatory was added at some time to the rear of the kitchen, the bungalow appears otherwise unaltered from its original form.
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4. The introduction of a dormer window on the front elevation as proposed would dominate the front roof slope and detract from the simple original design of the dwelling. It would also disrupt the simple symmetry and balance displayed by this pair of semi-detached properties.
5. The proposed front dormer, although set well within the roof slope, would overall be wider than the bedroom window below. This together with the tiled upstand below its glazing would make it appear top-heavy and add to an overbearing appearance. It would therefore not accord with the Council's Supplementary Planning Guidance 'Roof Alterations and Extensions' (SPGBH1). The associated rooflights as proposed on the front roof slope, due to their size, spacing and position, would poorly relate to the dormer and further adversely affect the overall appearance of the property.
6. In support of the appeal the appellant refers to other front dormer windows in the road. Whilst rear dormer additions appear relatively common there are only a limited number of front dormer window extensions. There is no clear information about each of these cases, although the Council indicates that only one has planning permission and that was granted to balance one already existing in the pair of bungalows. These other front dormers serve to illustrate the concerns expressed above, regarding the effect such development has on the character and appearance of the area.
7. In addition, whilst every application should be considered on its merits, the remaining unaltered semi-detached pairs of bungalows are a material consideration. If the appeal were to succeed in relation to the front dormer as proposed, it could set a precedent for other similar developments. While it is recognised that there may be no current intention for others to develop in this manner, any future application could be difficult to resist, compounding the harm that I have found. Overall I conclude the proposed front dormer would be harmful to the appearance of the existing dwelling and wider character of the area contrary to Policy QD14 of the Brighton and Hove Local Plan and SPGBH1.
8. The Council take no issue with the side/ rear extension which in part replaces the former conservatory addition, and I note that work on this element of the proposal has already commenced. It is set within the rising ground level at the rear and represents a low key development that would be largely unseen from the road frontage. It would also be similar to an extension constructed at number 12 on the opposite side of the shared driveway. In these circumstances it would acceptably relate to the host property and cause no harm to the character of the area.

### **Other Matters**

9. Adjoining residents raised concerns regarding overlooking, loss of privacy and increased activity and traffic, resulting from the development, at the application stage. I note the Council did not consider the harm such as to merit refusal of the proposal on this basis, and I agree with this assessment.

### **Conclusion**

10. For the reasons set out above, I conclude that the appeal should fail in relation to the dormer window and rooflights proposed on the road frontage. In relation to the rear extension however, I conclude the appeal should succeed. As work

on the extension has commenced the standard condition relating to commencement of development is unnecessary. However, a condition specifying the plans to which the permission relates, (so far as they are relevant to that part of the development permitted), is required together, in the interests of visual amenity, a condition to ensure that external materials match those of the existing property.

*Ray Wright*

INSPECTOR

