



Appeal Decision

Site visit made on 6 February 2012

by **James Croucher** MTP MRTPI

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

Decision date: 27 February 2012

Appeal Ref: APP/Q1445/D/12/2168721
15 Bishopstone Drive, Saltdean, Brighton BN2 8FF

- 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 Ms Frankie Yallop against the decision of Brighton and Hove City Council.
 - The application Ref. BH2011/02231, dated 27 July 2011, was refused by notice dated 3 November 2011.
 - The development proposed is a single storey extension and roof alterations to form a chalet bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension and roof alterations to form a chalet bungalow at 15 Bishopstone Drive, Saltdean, Brighton BN2 8FF in accordance with the terms of the application, Ref. BH2011/02231, dated 27 July 2011, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - (i) 2567/1 (OS and block plans)
 - (ii) 2567/2 (existing plan and elevations)
 - (iii) 2567/6/B (proposed plan and elevations)

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host building and the wider streetscene.
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Reasons

3. The appeal property is a modest bungalow, simple in form with a hipped roof. An increase in ridge height and roof form is proposed, as well as a revised half-hipped roof design, to facilitate the provision of habitable rooms to the first floor. To the rear a centrally-positioned box dormer window is proposed, along with a flat-roof single storey extension and raised patio. Brighton & Hove Local Plan Policy QD14 gives assessment criteria for such extensions, whilst Adopted Supplementary Guidance "Roof Alterations and Extensions" (the "SPD") provides additional design guidance.
4. The Bishopstone Drive streetscene features a wide variety of property designs, including a multitude of differing dormer window designs and sizes. The roofscape consists of a broad mix of gabled, hipped and half-hipped roofs. Such variety is characteristic of this pleasant suburban street, with its mix of modest and more substantial homes, many of which have been altered or extended. The elevated nature of the street in the wider landscape and its natural gradients add to the visual variety of the streetscene and its roofscape.
5. In this context, the proposed alterations to the existing bungalow would be neither incongruous nor overly prominent. The half-hipped roof design would not appear overly bulky or top-heavy, and an appropriate architectural composition would result. Subject to the use of appropriate materials, there would be no harm to the host dwelling or the wider Bishopstone Drive streetscene.
6. There are restricted views of the rear elevation from public vantage points. The nearest properties are some distance away and are separated from the appeal site by existing evergreen vegetation and a private tennis court. Local topography and adjacent buildings further limit visibility of the rear elevation, particularly from Lustrells Crescent.
7. Accordingly, neither the rear view of the enlarged roof nor the proposed rear dormer would be dominant or prominent, given the very limited public visibility of the site and the backdrop of existing built form on higher ground levels against which it would be seen. In any event, a dormer of the scale, form and design proposed would not be an uncommon or alien feature in the area. In this instance the central positioning of a dormer window on the rear roof slope would respect the character of the building, and the areas of cladding would be neither out of keeping nor incongruous. In addition, although the window cill would not sit above the roofslope, a visually coherent visual composition would nonetheless result.
8. In light of the above, the proposal would not harm the character and appearance of the host building or the wider streetscene. Accordingly, the scheme complies with Local Plan Policies QD1, QD2 and QD14, and the Council's SPD.

Other matters

9. Concerns have been raised in respect of overlooking. The insertion of a new rooflight in the western elevation would result in a modest level of additional overlooking of the adjacent rear garden at 17 Bishopstone Drive. However, this overlooking would not be significant in extent given the small size of the

proposed rooflight, existing boundary planting, and the obscure angles of view involved. The Council did not consider that planning permission ought to be refused on grounds of loss of privacy, an assessment with which I agree.

10. The proposed alterations would not cast any significant new shadow over adjacent properties, given their siting, size and design. In particular, the modest single storey rear extension would not result in any significant overshadowing of the adjacent property. Accordingly, there would be no significant harm on the living conditions of occupiers of 17 Bishopstone Drive. Similarly, there would be no significant effect on the living conditions of any other nearby property.

Conditions

11. The Council has suggested two conditions in the event that the appeal is allowed. In considering these I have had regard to the advice in Circular 11/95: *The Use of Conditions in Planning Permissions*. I shall impose the usual time limit condition for the commencement of development and in the interests of good planning a condition is necessary to require development to be carried out in accordance with the submitted plans. In addition a condition requiring the submission and approval of external materials is necessary to ensure a satisfactory appearance.

Conclusion

12. In light of the above, the appeal should succeed.

James Croucher

INSPECTOR

