



Appeal Decision

Site visit made on 3 September 2013

by Peter Rose BA MRTPI DMS MCMi

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

Decision date: 10 October 2013

Appeal Ref: APP/Q1445/A/13/2198518
84 Hythe Road, Brighton, BN1 6JS

- 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 Peter Brockwell against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03641, dated 16 November 2012, was refused by notice dated 24 January 2013.
 - The development proposed is loft conversion.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The applicant describes the scheme as a loft conversion. As a matter of clarification, the development includes a rear dormer and front rooflight.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the host building, the surrounding area, and the setting of the Preston Park Conservation Area.

Reasons

4. The appeal site comprises a three-storey mid-terrace residential property. The upper two floors comprise a maisonette with a flat below.
5. At the back of the properties are reasonably sized gardens which, in turn, adjoin the corresponding rear gardens of parallel terraces in Preston Drove and which lie within the Preston Park Conservation Area.
6. The rear roofs to the properties in the appeal terrace are not generally uniform in their profile and appearance, and a significant number have already been extended with full width dormers. These are imposing features in contributing to the character and appearance of the rear of the terrace and in views from the properties in Preston Drove.
7. The proposed dormer would insert a full width extension at roof level to the rear with matching tiles. Whilst set slightly below the ridge, it would effectively create a new, flat-roofed storey above the eaves. The development would not be set within the existing roof profile as such but would effectively replace it, with no reasonable spacings left to the eaves, ridge or sides. The extension

would thereby be disproportionate in its overall scale to the host building, making it appear top heavy and adding an extension which would be unsympathetic and discordant to the roofscape of the wider setting. Whilst the appellant has referred to some similarity with the appearance of the existing flat roofed extension, this consideration would not offset the specific harm arising from the design of the proposed dormer.

8. The Council suggests that a number of the existing roof extensions in the vicinity may have come forward as Permitted Development, outside of planning control. It is also possible that further extensions could be developed without the need to seek planning permission. Whilst the existing roof extensions in other properties would to some degree mitigate the harm to the wider terrace which would be caused by the appeal proposal, the existence of those extensions does not in itself justify the further unacceptable impact which would be caused by this proposal.
9. Regard has been given to Policy HE6 (Development within or affecting the setting of conservation areas) of the Brighton and Hove Local Plan, 2005 (the Plan). As a matter of clarification, the appeal site does not lie within a Conservation Area but lies immediately north of the Preston Park Conservation Area.
10. Whilst the dormer would be clearly visible from the rears of properties in the Conservation Area and would alter those views, it would not be visible in any significant views of the Conservation Area itself. The dormer would also not be visible from any public areas, including from Preston Drove. The proposal is not therefore considered to have any discernible impact upon the character or appearance of the Conservation Area itself or its setting and would thereby not be contrary to Policy HE6.
11. Notwithstanding this finding, it is concluded that the size and design of the proposed dormer would be harmful to the character and appearance of the host building and the rear of the terrace. Accordingly, the development would be contrary to Policy QD14 (Extensions and Alterations) of the Plan and to the Council's Supplementary Planning Guidance SPGBH1: Roof Alterations and Extensions. The National Planning Policy Framework also places great importance upon high quality design and the proposed development would not be in-keeping with that aim.

Other Matters

12. Reference has been made to previous appeal decisions at 114 Eldred Avenue, Brighton, at 19 Lawrence Road, Hove and at 1A Frith Road, Hove. It is understood those schemes included rear dormers. Full details of those decisions and of the accompanying schemes have not been provided but, in any case, the appeal has been considered on its own merits as identified.
13. Regard has been given to the improvements which would arise for the internal layout and quality of accommodation at the host building.
14. It is also noted that no objections have been received from adjoining occupiers, but the development would remain long after the circumstances of the existing occupiers change.
15. None of these matters affect my findings on the main issue.

Conclusion

16. For the above reasons, I conclude the appeal should be dismissed.

Peter Rose

INSPECTOR

