
Appeal Decision

Site visit made on 11 November 2013

by Susan A F Simpson LLB Solicitor (N-P)

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

Decision date: 19 November 2013

Appeal Ref: APP/Q1445/D/13/2205819

106 Dean Court Road, Rottingdean, Brighton, BN2 7DJ

- 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 Michael Spurgin against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/01585 was refused by a notice dated 29 July 2013.
 - The development proposed is a new dormer window to replace existing velux. Dormer to be constructed on the north east elevation, adjacent to, and matching existing dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the development upon the character and appearance of the host dwelling and the surrounding area.

Planning Policy and Guidance

3. Policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan 2005 seek, amongst other things, to ensure that the development is well designed, sited and detailed in relation to the property to be extended and makes a positive contribution to the visual quality of the environment. Government policy contained in the National Planning Policy Framework (the Framework) also attaches great importance to good design.
4. The Council has produced a Supplementary Planning Document (SPD12) which is entitled "*design guide for extensions and alterations*". Section 3.5 relates to roof extensions and alterations. The document has been the subject of public consultation and recently adopted by the Council. As such, it forms a material consideration in the determination of this appeal.

Reasons

5. No 106 contains accommodation at first floor level which is provided within the roof space and a gable ended addition over the garage of the chalet bungalow. Bedroom one and its en suite are served by a dormer window and roof light in the front roof slope of the dwelling.
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6. Dean Court Road is a long residential street which serves an eclectic mix of housing. However, at its northern end it adjoins open countryside where dwellings are more consistent in terms of design and comprise predominantly modest sized bungalows with simple and uninterrupted roof slopes. I saw that No 106 adjoins, and is therefore located between, this development and the more varied form of housing found along the remainder of Dean Court Road.
7. I note that the undated and unreferenced drawing submitted in support of the application was considered by the Council to be inaccurate in a number of respects. Following the Council's decision, the Appellant sent an amended plan to the Council and this was referred to in the appeal statement and forwarded to me at my request. This drawing provides details that are materially different from the application drawing - particularly in terms of the positioning of the dormer windows within the front roof slope. In the light of this, and as the Council has not been formally requested to consider this drawing and, therefore, it has not been the subject of public consultation, I do not intend to take it into account in the determination of the appeal.
8. I note that it is the Appellant's intention to replace the roof light serving the en suite to bedroom one with a dormer window to match the existing in terms of design, siting, scale and materials. However, it was evident from my site visit that the application drawing does not provide the accurate information that would be necessary for me to determine whether the proposal would be acceptable in terms of the main issues in this appeal.

Conclusion

9. Whilst I appreciate that the views given above may be a disappointment to the Appellant, an assessment of the proposed development and, if appropriate, any subsequent grant of planning permission could only be undertaken on the basis of drawings which show an accurate depiction of the scheme that is being proposed. Thus, I must conclude on the information before me that it has not been established that the development would not cause harm to the character and appearance of the host dwelling and the surrounding area. Nor have I been able to determine that the proposal would comply with the Council's relevant policies, SPD12 and national policy contained within the Framework. Accordingly, for these reasons, the appeal must fail.

S A F Simpson

INSPECTOR