



## Appeal Decision

Site visit made on 3 February 2014

**by D Lamont BSc(Hons) MBA MRTPI MCMi**

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

**Decision date: 6 February 2014**

---

**Appeal Ref: APP/Q1445/D/13/2211132**  
**346 Dyke Road, Brighton, BN1 5BB.**

- 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 P Coleman against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/02895 was refused by notice dated 5 November 2013.
  - The development proposed is add rooms in the roof with shower room and bathroom. Change of use of garage to habitable room. Removal of conservatory to rear. Balcony to first floor bedroom. To render the building to match in with neighbours property. Re-tile all roofs to building. Internal alterations.
- 

### Application for Costs

1. An application for costs was made by Mr and Mrs P Coleman against the decision of Brighton & Hove City Council. This application is the subject of a separate decision.

### Decision

2. The appeal is allowed and planning permission is granted for rooms in the roof with shower room and bathroom, change of use of garage to habitable room, removal of conservatory to rear, balcony to first floor bedroom, to render the building to match in with neighbours property, re-tile all roofs to building and internal alterations at 346 Dyke Road, Brighton, BN1 5BB, in accordance with the terms of planning application BH2013/02895, subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this decision.
  2. The development hereby permitted shall not be carried out other than in complete accordance with the details shown on the submitted plans, numbers: 01/1307575 (Site Location Plan); 02/1307575 (Block Plan); 03/1307575 (Existing Ground Floor); 04/1307575 (Existing First Floor); 05/1307575 (Existing Roof Plan); 07/1307575 (Existing Front Elevation); 08/1307575 (Existing Rear Elevation); 09/1307575 (Existing Side Elevation); 10/1307575 (Existing Side Elevation); 11/1307575 (Streetscene Photographs); 13/1307575 (Proposed Ground Floor); 14/1307575 (Proposed First Floor); 15/1307575 (Proposed Second Floor); 17/1307575 (Proposed Front Elevation); 18/1307575 (Proposed Rear Elevation); 19/1307575 (Proposed Side Elevation) and 20/1307575 (Proposed Side Elevation).

### **Procedural Matters**

3. Drawing No. 21/1307575 (Proposed Roof Plan) is inconsistent with the submitted drawings, with particular regard to the roof element which would project above the proposed first floor balcony. Consequently, the appeal has been determined on the basis of the details proposed in the elevation drawings.

### **Main Issue**

4. The main issue is the effect of the proposal on the character and appearance of the building and the area, having regard to the alterations to the original form and design of the host property.

### **Reasons**

5. The subject site lies within a predominantly residential area of Dyke Road, a principal route to the city centre, in which substantial detached dwellings predominate. These properties reflect a wide variety of periods, types and styles. The locally diverse mix of design, scale and plot size adds visual interest to the area and is a significant influence in contributing to its character and appearance and the streetscene. No. 346 is a detached two storey house which occupies a corner plot by the junction with Tivoli Crescent North. The host property is principally read within the streetscene of Dyke Road and the neighbouring properties to the south east.
6. The proposal would remodel the house to provide additional accommodation, within a new roofspace arrangement. This would include a projecting roof element over a proposed first floor balcony above an existing ground floor element. It is proposed to introduce a uniform application of rendering and roof finish to the remodelled building and reflect the more contemporary form of the resultant design.
7. The proposal's contemporary design would reflect other examples of such in the streetscene and along Dyke Road. It would reflect the contemporary character and appearance of the adjacent property at No. 344, as recently approved by appeal (Ref. APP/Q1445/D/10/2141431). The proposal would also include many similar elements, such as a split and projecting gable roof line, balcony and glazing. The proposed gable ended bay would be of a similar height to No. 344 and are distinctive features of the more traditional dwellings in the streetscene and to the south east.
8. Although the proposal would be visible from Tivoli Crescent North, the host property's principal context is within the Dyke Road streetscene and its close association with the similarly designed No. 344. Public views of the proposal from Tivoli Crescent North would be more localised than the longer views from which it would be visible along the more significant and heavily trafficked Dyke Road. Notwithstanding these considerations, the comparable contemporary rear elevation of No. 344 is readily visible from Tivoli Crescent North. The proposal would occupy a more prominent corner plot it. However, from Tivoli Crescent North, it would be read within the close context of the character and appearance of the rear of No. 344, and with which the proposal's character and appearance would be consistent.
- 9.

10. Although the proposal would result in a larger dwelling the additional floor of accommodation would be achieved within a roof height consistent with No. 344 and the older properties to the south east. Views of the proposed south east side gable would be restricted by its close proximity to No. 344. Although the north west side elevation would be more prominent its massing would be interrupted by the variety of its rooflines and the lower element to the corner. It would also be largely read within the context of its oblique association with the contemporary design of the front elevation from the principal view from the north west approach along Dyke Road.
11. The proposal would remodel the dwelling to create a different style and a more contemporary design, including associated rooflines, features and glazing. Whilst the design reflects a different period, the basic features are seen in other properties in the immediate and wider context. This would complement the area's diverse range of housing and reflect the design of the adjacent property . Additionally, the proposal has had regard for the dwelling as a whole and would not detract from the host property nor harm the character or appearance of the area; particularly the streetscene of the building group to the south east with which it is most closely associated.
12. For these reasons, I conclude that the proposal would respect the character and appearance of the host property, the streetscene and the area; and would not conflict with the Brighton and Hove Local Plan Policy QD14 and the Council's Supplementary Planning Document Design Guide on Extensions and Alterations.
13. In addition to the standard time limit condition, an additional condition is attached, for the avoidance of doubt and in the interests of proper planning, to require that the development is carried out in accordance with the approved plans.

*D Lamont*

INSPECTOR