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## Appeal Decision

Site visit made on 5 January 2015

**by Louise Phillips MA (Cantab) MSc MRTPI**

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

**Decision date: 13 January 2015**

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**Appeal Ref: APP/Q1445/A/14/2228411**

**Flat 4, 61 Goldstone Villas, Hove, East Sussex BN3 3RW**

- 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 U Pascoe against the decision of Brighton & Hove City Council.
  - The application Ref BH2014/02830, dated 21 August 2014, was refused by notice dated 23 October 2014.
  - The development proposed is the conversion of the roof space to create a bedroom to flat No 4.
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### Decision

1. The appeal is allowed and planning permission is granted for the insertion of rooflights to the front and rear roof slopes at Flat 4, 61 Goldstone Villas, Hove, East Sussex BN3 3RW in accordance with the terms of the application, Ref BH2014/02830, dated 21 August 2014, 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 be carried out in accordance with the following approved plans: Drawing No 14470-01.
  - 3) Notwithstanding condition 2, the rooflights hereby permitted shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

### Procedural Matters

2. The description of development in the heading to this letter is taken from the application form. I have amended it in my formal decision at paragraph 1 to use the description given on the decision notice and appeal form. The latter more accurately describes the development for which planning permission is sought.

### Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area, including whether it would preserve or enhance that of the Conservation Area.

## Reasons

4. The appeal property is the top floor flat in a converted house forming part of a three storey terrace. It lies within the Hove Station Conservation Area, a designated heritage asset, which is characterised by similar terraced villas such as those found in Denmark Villas to the east. The street scene in Goldstone Villas itself is mixed, including commercial premises at ground floor level on the west side and a number of more modern residential and business properties throughout.
5. It is proposed to insert one conservation-style rooflight in the front roofslope and two in the rear roofslope to serve a new bedroom and en-suite bathroom. The front rooflight is not contentious for the parties and I consider that it would be a relatively discrete addition to the building. I also note that a few properties in the same terrace have similar rooflights and that several in the mixed use terrace opposite have front dormer window additions of various styles.
6. The rear elevation and roofslope of the terrace of which the appeal property is part is visible from Denmark Mews, a development of relatively modern houses of a sympathetic style accessed from Denmark Villas. From here I observed various additions to the rear of the terrace, including a three storey metal fire-escape to the appeal property itself; a two-storey, flat roofed extension to No 59 adjacent to the south; a substantial, flat roofed box dormer almost filling the roofslope of No 63 adjacent to the north; and a metal balcony spanning two properties further to the north at third floor level. All of these features are, in my view, prominent and discordant additions to the original building.
7. The proposed development on the rear roofslope of No 61 would consist of three small rooflights, two of which would be vertically aligned so that they would appear as one larger window. The double rooflight would be aligned with the windows on the lower floors of the appeal property, whereas the single one would be offset slightly to the south.
8. The Council's Supplementary Planning Document (SPD)<sup>1</sup> advises that "*rooflights (particularly to street elevations) should be kept as few and small as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible...*" (page 17). However, the three rooflights proposed would not take up a disproportionate area of the roofslope and the slight misalignment of the small single one would not be jarring. Indeed a very similar arrangement has been approved by the Council (Ref BH2011/00659) and installed on the neighbouring dwelling at No 59. Moreover, in the context of the much more obtrusive development at the rear of the terrace I have described above, the impact of the proposed rooflights would be insignificant.
9. For the reasons above, I conclude that the proposed development would not be harmful to the character and appearance of the area. It would also preserve that of the wider Conservation Area so that the significance of the heritage asset would not be compromised. Thus I find no conflict with either Policy QD14 or HE6 of the Brighton and Hove Local Plan, 2005.

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<sup>1</sup> Design Guide for Extensions and Alterations Supplementary Planning Document – SPD12, adopted 20 June 2013.

### **Other Matters**

10. In reaching my decision, I have taken account of the concerns expressed by interested parties about light emanating from the proposed rooflights at night. However, given the slope of the roof, light spill would mainly be upwards and not detrimental to the living conditions of neighbouring occupiers in lower floor flats.

### **Conclusion**

11. For the reasons given above, I conclude that the appeal should be allowed.

12. I have considered the conditions suggested by the Council in light of the advice in the Planning Practice Guidance. In addition to the standard commencement condition, I have imposed a condition to require the development to be carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of proper planning. A condition to control the particular appearance of the rooflights installed is required to preserve the character and appearance of the Conservation Area.

*Louise Phillips*

INSPECTOR

