



Appeal Decision

Site visit made on 2 February 2016

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 10 February 2016

Appeal Ref: APP/Q1445/D/15/3134936
18 McWilliam Road, Brighton BN2 6BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Ryan Kendall against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/01959, dated 29 May 2015, was refused by notice dated 10 September 2015.
 - The development proposed is a roof conversion incorporating hip to gable extensions and rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a roof conversion incorporating hip to gable extensions and rear dormer at 18 McWilliam Road in accordance with the terms of the application, Ref BH2015/01959, dated 29 May 2015, and the plans submitted with it, 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: 1201/01; 02; 03; 04 and 05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property comprises a detached bungalow located on the eastern side of the road. The main roof is hip ended but with a forward gable projection. There are bungalows on both sides of the road and whilst both adjoining bungalows have hip ended roofs, there are a variety of roof forms in the immediate area including full hips, half hips, gable ends and a combination of all three.
4. The Council is concerned that the proposed change to the roof would appear bulky and unsympathetic to the building and area. However, I note that there would be no overall increase in ridge height and that the proposed resulting

gable end roof would be similar to those properties directly opposite and would relate well to the existing gable projection. Although it would be different to its immediately adjoining neighbours, their roofs are already different from the appeal property with neither having a front gable feature and No 20 having a slacker pitch. There are also further differences to roof forms on properties to the north and south of the appeal property on that side of the road and therefore in my view it is not critical to retain a hipped roof. The proposed roof lights would be regularly spaced in the roof and would not be conspicuous or cause any visual harm. I am also mindful that two of the proposed rooflights could be inserted in the existing roof with the benefit of permitted development.

5. Turning to the proposed rear dormer, whilst it would be large, it would be contained within the roof slope and set in from the sides, ridge and eaves of the building. In those respects it would be generally consistent with advice within the Council's Supplementary Planning Document – design guide for extensions and alterations 2013 (SPD). Although it would conflict with other advice in the SPD in that it would not be as small as possible or be seen as a subordinate addition to the roof, it would not be prominent from any other public views and I noted that there are other flat roof dormers of a variety of sizes within the local area. I do not consider it critical that windows should align with those below in this instance given its enclosed location at the rear of the property. I also consider that whilst the SPD is based upon sound and well conceived design principles, it nevertheless is guidance only. As such it cannot be applied rigidly and each situation must be considered on its individual merits.
6. The Council does not raise any objections from an amenity point of view and having considered that issue at my site visit, I see no reason to take a different view.
7. For the above reasons there would be no harm to the character and appearance of the area. The proposal would therefore be compliant with Policy QD14 of the Brighton & Hove Local Plan 2005 and the SPD in that it would be well designed in relation to the property and adjoining properties and would not be an inappropriate roof addition. Although the proposed dormer would partly conflict with SPD guidance, it would be visually acceptable in this case for the reasons given.
8. Conditions requiring the development to be built in accordance with approved plans and for matching materials are necessary in the interests of good planning. Accordingly the appeal should be allowed and planning permission granted.

Kim Bennett

INSPECTOR