



Appeal Decision

Site visit made on 14 March 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 21 March 2016

Appeal Ref: APP/Q1445/D/15/3140890

17 The Beeches, Brighton BN1 5LS

- 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 Peter Lloyd against the decision of Brighton and Hove City Council.
 - The application Ref BH2015/03780 was refused by notice dated 27 November 2015.
 - The development proposed is 'extended front and rear dormers'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council in submitting its appeal questionnaire included extracts from Policy SS1 of the 'Brighton and Hove Submission City Plan Part One' (February 2013) (the emerging City Plan). Given the age of that document and in response to a question I have raised (via the Inspectorate's case office) about the emerging Local Plan's progress towards adoption, the Council has provided an internet link to the webpage for the City Plan. From this I have been able to establish that: the emerging City Plan is due to be adopted on 24 March 2016; and that Policy QD14 of the Brighton and Hove Local Plan 2005 (the Local Plan) cited in the Council's reason for refusal will continue to be extant post the adoption of the emerging City Plan. I also note that wording for Policy SS1 contained within the submission version of the emerging City Plan has not been modified during the examination of the emerging plan.
3. Given the foregoing, and without produce to the parties, I am therefore content that I can determine this appeal having regard to the extant Local Plan policy cited in the reason for refusal and that there is no need for me to seek the parties views about the imminent change to the Council's Development Plan.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the appeal property (No 17).

Reasons

5. No 17 is a detached bungalow, with an 'L' shaped floor plan that is situated within a cul-de-sac of bungalows. The appeal development would involve: the
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doubling in the width of the existing front dormer and the construction of an enlarged replacement rear dormer.

6. With the exception of No 17, none of the other properties in The Beeches have front dormers. While I recognise that the altered front dormer would be in a recessed location, it would nevertheless have an incongruous appearance. This is because the resulting dormer would have a very unusual appearance, given: its very shallow double pitched form; pitch angles that would not match any of those of the host property; and the formation of a central valley.
7. In my opinion the front dormer, while not being overly large, would be of a poor design that would not be in sympathy with the appearance of No 17. I note that the appellant refers to the existing front dormer presenting '... a rather incongruous appearance ...'¹, however, I am not persuaded that the proposed enlargement of this dormer would enhance its appearance.
8. Although the rear dormer would be a comparatively large addition I do not find it to be excessive in scale or to be out of keeping with the appearance of what is already a much altered rear elevation.
9. While I am sympathetic to the appellant's wish to provide enhanced living space for the occupiers of No 17, I am not persuaded that this should occur by compromising the appearance of this property's front elevation.
10. For the reasons given above I find that the front dormer would be of a poor design. Accordingly in this respect there would be conflict with the objectives of Policy QD14 of the Local Plan and the parts of the National Planning Policy Framework (the Framework) that address the design for new development, most particularly paragraph 17 (the fourth core planning principle – securing high quality design) and section 7 (Requiring good design). While elements of the front dormer would meet the Council's design guidance for this form of addition² (the SPD), its appearance would nevertheless be poor resulting in conflict with the SPD's aims. I find the appellant's reference to paragraph 49 of the Framework to be irrelevant because the appeal development would not involve the provision of a new dwelling.
11. Given that I have found that the front dormer's appearance would be unacceptable, I conclude that this proposal does not amount to sustainable development for the purposes of the Framework, when it is read in the round³, and that this appeal should be dismissed.

Grahame Gould

INSPECTOR

¹ The appellant's statement of case

² The Brighton and Hove City Council Design Guide for Extensions and Alterations Supplementary Planning Document SPD12 (June 2013)

³ As stated in paragraph 6