
Appeal Decision

Site visit made on 10 May 2016

by Andrew Steen BA(Hons) DipTP MRTPI

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

Decision date: 7 June 2016

Appeal Ref: APP/Q1445/W/16/3144552
Flat 2, 19 Compton Road, Brighton BN1 5AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Ms Suzanne Farrell against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/03830, dated 21 October 2015, was refused by notice dated 20 January 2016.
 - The development proposed is conversion of loft to create additional bedroom and en-suite bathroom, accessed by new set of stairs from first floor and to include rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of loft to create additional bedroom and en-suite bathroom, accessed by new set of stairs from first floor and to include rear dormer at Flat 2, 19 Compton Road, Brighton BN1 5AL in accordance with the terms of the application, Ref BH2015/03830, dated 21 October 2015, 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: Site Plan and drawing numbers CR1, CR2, CR3 and CR4.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The Brighton & Hove City Plan Part One (CP) was adopted during the course of this appeal and policies within that plan have superseded a number of policies contained within the Brighton & Hove Local Plan (LP). The Council provided a policy update and the appellant was given the opportunity to comment on this. I have based my decision on the current adopted policies. Policy QD14 of the LP, which was referred to in the Council's reason for refusal, was not superseded and remains part of the adopted development plan.
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Main Issue

3. The main issue in this appeal is the effect of the proposed rear dormer window on the character and appearance of the building.

Reasons

4. 19 Compton Road is a mid-terraced two storey house that has been converted into two flats, one on each floor. It is proposed to construct a dormer roof over the rear of the building in order to provide an additional bedroom and en-suite bathroom in the roofspace for the upper floor flat. The configuration of the building, with the rear outrigger extending from the main building and blocking views toward the roof, means that the proposed dormer window would be visible from only a small number of surrounding properties. A small number of other properties within the terrace and along Compton Road have dormer windows of a variety of styles and sizes.
5. The proposed dormer window would be located centrally within the roofspace rather than above existing windows in the building. Those windows are to the side of this terraced property with the outrigger covering much of the rear. As a consequence, locating a dormer window above the existing windows would unbalance the building and, as such, it would be most appropriate to locate a dormer window centrally, as proposed.
6. The sash windows, doors and overall shape of the property provide a vertical emphasis to the appearance of the rear elevation, which contrasts with the more horizontal emphasis of the shape of the roof. This would be reflected in the proposed dormer window that would contain two sash windows that each match the width of the sash windows in the rear of the building. The windows are shorter than the sash windows below, thus ensuring that the proposed dormer window would be subservient to the appearance of the building as a whole.
7. The proposed dormer window would be located away from the sides of the roof, without cladding to either side of the windows or below and with a minimal supporting structure, such that it would not appear as a box dormer. Fascia elements would reflect the scale of other elements of the building. The top of the proposed roof of the dormer window would be located sufficiently below the ridge of the roof such that it would not appear unusually high. Consequently, the dormer window would be modest in size and would appear subordinate to the roof of this terraced property.
8. For the above reasons, I conclude that the proposed dormer window to the rear would not harm the character and appearance of the building. As such, it would be in accordance with Policy QD14 of the LP and the Supplementary Planning Document 12: Design Guide for Extensions and Alterations that seek to ensure extensions and alterations to properties are well designed and protect the character and appearance of the area.
9. I note a neighbour has queried the effect of the proposed dormer window in terms of loss of privacy and overshadowing. Given the nature of the development, there would be no overshadowing of neighbouring garden areas or windows and this additional window would not materially add to the amount of mutual overlooking in this residential area.

Conditions

10. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition is necessary for materials to match those used on the existing building to maintain the character and appearance of the area. I have amended the wording of conditions suggested by the Council in the interests of clarity.

Conclusion

11. On the basis of the above considerations, I conclude that the appeal should succeed.

Andrew Steen

INSPECTOR

