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# Appeal Decision

Site visit made on 31 July 2012

**by J Mansell Jagger MA(CANTAB) DIPTP MRTPI IHBC**

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

**Decision date: 9 August 2012**

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**Appeal Ref: APP/Q1445/D/12/2177670**  
**23 Glenfalls Avenue, BRIGHTON, BN1 8SJ**

- 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 R Ward against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/00389 was refused by notice dated 19 April 2012.
  - The development proposed is retrospective application for: a small side extension to the rear of the property; re-erection of a conservatory; new garage to match surrounding properties; loft area conversion; change hip to gable; extend existing rear dormer, and 2 new roof lights to front elevation
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## Decision

1. The appeal is allowed and planning permission is granted for: a small side extension to the rear of the property; re-erection of a conservatory; new garage to match surrounding properties; loft area conversion; change hip to gable; extend existing rear dormer, and 2 new roof lights to front elevation, at 23 Glenfalls Avenue, Brighton BN1 8SJ in accordance with the terms of the application ref. BH2012/00389, dated 10 February 2012.

## Main issue

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

## Reasons

3. The appeal property is one of a pair of semi-detached bungalows of originally identical design that step down the hill. The street is composed of similarly designed bungalows. The works applied for have been completed and the Council's objections relate to the almost full-width, extended rear double dormer window and to the replacement of the original hipped roof with a gable end.
4. Whilst the extended rear dormer is a prominent feature that does not strictly accord with the general advice in the Council's Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1), its impact is limited to the rear elevation and it does not appear in views from the public domain. Several properties in the immediate vicinity, in both Glenfalls Avenue and the road to the rear, have dormer windows of various sizes, a number of them similar to the one constructed here. There is now no uniformity of design. In the circumstances, I do not think that the dormer materially detracts from the character or appearance of the property or of the surrounding area.

5. The only alteration at the front is the change of roof from hip to gable, which the council says 'unbalances' the pair of bungalows, together with the insertion of two roof lights. However, there is little left of the original matching design. The appeal property has a flat-roofed dormer window and the facing materials and roof colours of the two properties are different, as are the window framing patterns. The adjacent house on the south side (no.21) has a double-width dormer and gable end, whilst I noticed other gabled roofs at nos. 13 and 17 and at nos. 14 and 18 opposite. Several properties have dormer windows or roof lights. In my view, there is little difference between the works carried out here and those at other properties in the immediate vicinity.
6. I understand the Council's desire to retain the original architectural design of Glenfalls Avenue, but any significant degree of uniformity has been lost over many years of alterations and enlargements. It may be that the majority of those works have been carried out as permitted development, but I see no reason to deny the occupiers of this property the opportunity to improve and extend the bungalow in a similar fashion to others.
7. I conclude that the development as constructed does not materially harm the character or appearance of the property or the surrounding area and does not conflict with the objectives of Policy QD14 of the Brighton and Hove Local Plan or the Council's Supplementary Planning Guidance. Since the works have already been carried out, there is no need to add the conditions suggested by the Council.

*J Mansell Jagger*

INSPECTOR