



Appeal Decision

Site visit made on 29 October 2012

by **S Holden** BSc MSc CEng TPP MICE MRTPI FCIHT

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

Decision date: 5 November 2012

Appeal Ref: APP/Q1445/D/12/2182570
107 Preston Drive, Brighton, BN1 6EW

- 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 P Tamkin against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01913 was refused by notice dated 1 August 2012.
 - The development proposed is loft conversion with front rooflight.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposed rooflight would preserve or enhance the character or appearance of the Preston Park Conservation Area.

Reasons

3. Preston Drive is one of the main traffic routes through the Preston Park Conservation Area, which is a large, diverse but predominantly residential area. The south side of Preston Drive is characterised by a streetscape that is interrupted by the end of terraced houses in the neighbouring streets resulting in a rather fragmented appearance. However, the north side of the street is more attractive as it contains groups of good quality continuous terrace properties, punctuated only by the entrances to the adjoining roads.
4. Between Balfour Road and Osborne Road there is a uniform terrace of attractively detailed, red brick, Edwardian houses with half-timbered gables, square bays and tiled roofs. They are set back from the road and have small front gardens enclosed by low walls and hedges. Several of these houses have retained original features of note, such as recessed porches, stained glass panels and black and white tiled front paths. No 107 is in the middle of this attractive terrace of houses, which descends the hill in pairs resulting in changes in the roof heights, separated by parapet walls. Although some of the roofs have clay tiles and others replacement concrete ones, in many other respects the houses have retained their uniform appearance, resulting in a strong sense of rhythm to this part of Preston Drive.
5. In this context the insertion of a rooflight into the front roof slope would disrupt the uniform appearance of the roofs and would be an alien and incongruous feature in this group of terraced houses. This would be the case even though it would not be highly visible from the street in the immediate vicinity of the

house. The gradient of Preston Drove and the junctions with Havelock Road and Beaconsfield Villas provide a number of places from which the roofs of the terrace as a whole can be seen. As there are no other rooflights in the front roof slopes, the insertion of one at No 107 would be noticeable and would be detrimental to the group as a whole.

6. Government policy in respect of the historic environment recognises that historic assets are an irreplaceable resource that local authorities should conserve in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal. The original roofs of the properties along this section of Preston Drove make a significant contribution to the appearance of the heritage asset that is the Preston Park Conservation Area. Although the harm to any one individual building may be less than substantial, the incremental and cumulative loss of these original features could adversely affect the conservation area and the heritage asset as a whole. This would be particularly harmful as the whole of the terrace is visible from the junctions of nearby streets.
7. The Council has enacted an Article 4 direction in respect of the Preston Park Conservation Area, which precludes alterations to the front of properties without planning permission. This is in order to prevent the cumulative harm that could arise from small changes to individual properties over a period of time. This approach is therefore consistent with government advice on the conservation of heritage assets. In addition, advice and guidance in relation to all kinds of roof alterations, including those in conservation areas is set out in the Council's adopted Supplementary Planning Guidance: *Roof Alterations & Extensions* (SPGBH1). This clearly states that in conservation areas, where permission is required, rooflights will not be accepted on the front or other prominent roof slopes of buildings, where they would be visible from the street. This confirms my assessment that the proposal would be harmful to the conservation area.
8. As heritage assets are irreplaceable, any harm would require a clear and convincing justification. The appellant has drawn my attention to a number of rooflights that the Council has permitted elsewhere in Preston Drove. I do not have details of how those proposals were assessed although I note that the same policies appear to have been quoted in the decision notices. However, some of these properties are set higher above the street and their roofs are not as visible from the surrounding street scene as that of No 107. I accept that the rooflight at No 119 is on a prominent corner property. It is visible from the surrounding area and to my mind demonstrates the type of harm that can arise from small scale changes to individual buildings. I therefore do not consider that the presence of these other rooflights provides an adequate justification for setting aside the advice of the SPGBH1 in respect of the appeal proposal.
9. I appreciate that the appellant has sought to ensure that the proposal would comply with other aspects of the Council's guidance in terms of its proportions and the use of materials. However, these positive attributes of the proposal are not a justification for allowing a development that is unacceptable for other reasons. Furthermore, in this case the benefits of the loft conversion would only accrue to the occupants of the house and would therefore be insufficient to justify permitting a development that would be harmful to the appearance of the conservation area.

10. I therefore conclude that the proposed rooflight would be harmful to the Preston Park Conservation Area, which would not be preserved. The proposal would be contrary to saved Policies QD14 and HE6 of the Brighton & Hove Local Plan and the advice set out in the SPGBH1, all of which seek high standards of design that respect the distinctive setting of the proposal, especially in areas protected for their historic interest. It would also conflict with the advice of the National Planning Policy Framework in relation to the conservation of historic assets.
11. For this reason, and having regard to all other matters raised, I find nothing to alter my conclusion that the appeal should be dismissed.

Sheila Holden

INSPECTOR

