



Appeal Decision

Site visit made on 21 January 2013

by David Harmston FRICS DipTP MRTPI

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

Decision date: 22 January 2013

Appeal Ref: APP/Q1445/D/12/2188312

17 Alexandra Villas, Brighton, East Sussex BN1 3RF

- 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 James Bennett against the decision of Brighton & Hove City Council.
 - The application (Ref BH2012/02403) was refused by notice dated 8 October 2012.
 - The development proposed is the construction of a loft conversion incorporating a rear dormer and 2no rooflights to the side.
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Decision

1. The appeal is allowed in part and dismissed in part as follows:
 - a. In respect of the installation of two rooflights in the side elevation of the roof at 17 Alexandra Villas, Brighton, East Sussex BN1 3RF, the appeal is dismissed.
 - b. In respect of the proposal for the construction of a rear dormer at 17 Alexandra Villas, Brighton, East Sussex BN1 3RF, the appeal is allowed and planning permission is granted in accordance with the terms of the application (Ref BH2012/02403), dated 2 August 2012, subject to the following conditions:
 1. The development hereby permitted shall be commenced within three years of the date of this decision.
 2. The materials to be used in the construction of the external surfaces of the rear dormer hereby permitted shall match those used in the existing building.
 3. Insofar as the construction of the rear dormer only is concerned, the development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos:- 014/PL/01; 014/PL/10; 014/PL/12; 014/PL/11/A and 014/PL/13A.

Reasons

2. The two parts of the proposal are clearly severable being both physically and functionally independent. I have therefore issued a split decision in this case. The appeal property is a two-storey, semi-detached dwellinghouse lying on a prominent corner plot in a densely-developed residential neighbourhood of

Brighton close to the station and within the West Hill Conservation Area. It is proposed to provide additional habitable accommodation within the roofspace with the construction of a rear dormer and two rooflights in the side (north) elevation of the building facing Alfred Road.

3. The rear dormer is described by the Council as conforming in its scale and design to the guidance set out in its Supplementary Planning Guidance on roof alterations and extensions (SPG). It would be well-proportioned and, whilst visible in the streetscene from Alfred Road, it would provide symmetry with a similar development that has been permitted at the adjoining property. Having inspected the site from various viewpoints I agree with this assessment. The rear dormer would cause no material harm to the streetscene and in terms of the preservation or enhancement of the character or appearance of the West Hill Conservation Area, the development would be neutral. This part of the development would be compliant with the SPG and policies QD14 and HE6 of the Brighton & Hove Local Plan and is acceptable.
4. As far as the two rooflights proposed in the side of the roof are concerned, the situation is different. These would be readily visible in the streetscene as a prominent feature. The SPG states that, in Conservation Areas, rooflights will not be accepted on front or other prominent roof slopes where they would be visible from the street. The proposed rooflights would be positioned in an off-set position from the centre of the roof giving them an awkward appearance which would materially detract from the character of the building. This part of the development would introduce a form of design into the Conservation Area that would be negative in terms of the preservation or enhancement of its character or appearance contrary to the SPG and in conflict with the provisions of policies QD14 and HE6 of the Local Plan.
5. I appreciate that a double rooflight has been permitted in the side elevation of No 18 Alexandra Villas and that this is visible from the street. However, that case is materially different from the appeal proposal as that property does not directly front a highway to its side and the rooflights have been properly aligned in the roof in a central position. The prominence of the rooflight in that building is not so great or as widely visible as would be the case with the appeal development. No precedent has therefore been established.
6. In permitting the rear dormer, and apart from the statutory time duration of the permission, I have imposed a condition relating to the use of matching materials, in the interests of visual amenity. I have specified the approved drawings for the avoidance of doubt and in the interests of proper planning. I have considered everything else that has been raised in relation to this matter but nothing is of sufficient weight to alter my conclusions above and the reasons for them.

David Harmston

Inspector