



## Appeal Decision

Site visit made on 17 September 2013

**by Ms T L Dow BA, Dip TP, Dip UD, MRTPI**

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

**Decision date: 14 October 2013**

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### **Appeal Ref: APP/Q1445/A/13/2197440**

#### **17 Ewart Street, Brighton, East Sussex, BN2 9UP**

- 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 Roderick Pack against the decision of Brighton and Hove City Council.
  - The application Ref BH2013/00482 dated 14 February 2013, was refused by notice dated 22 April 2013.
  - The development proposed is a loft conversion.
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#### **Decision**

1. The appeal is dismissed.

#### **Procedural Matter**

2. The Brighton and Hove City Council Local Development Framework, Supplementary Planning Document 12, *design guide for extensions and alterations* (SPDBH12), was adopted in June 2013, after the Council's decision to refuse planning permission. The appellant has had the opportunity to comment on the document and I have had regard to it in reaching my decision.

#### **Main Issue**

3. The main issue in this case is the effect of the roof alterations on the character and appearance of the dwelling and the area, having particular regard to size, design and materials.

#### **Reasons**

4. Ewart Street is part of a larger area of generally small, terraced properties, which are distinctive, partly because of the variety of colours used to paint the front facades. They are set out in long rows on a grid pattern. They are of a traditional scale, with relatively limited depth and with fairly shallow, pitched roofs. Traditionally the roofs were covered in natural slate but these have been replaced with concrete tiles on some properties, including the appeal site. The area has a strong character and identity and is very attractive. A number of properties have converted loft areas and have added velux roof lights in the front roof slope.

5. The appeal site is within a long row of terraced properties and is typical of the fairly uniform appearance of other properties in the street, with the exception that it has been sub-divided. To the rear of the terrace, a number of large, flat-roofed dormers are visible on the backs of adjacent properties and on adjoining terraces. The Council has said that there are no records of planning permission having been granted for these roof extensions and it is possible that they have been constructed under permitted development rights. Although there are several, they are not so predominant a feature that they form part of the character of the area.
6. Policy QD14 of the Brighton and Hove Local Plan, 2005 (Local Plan) advises that extensions to dwellings should be well designed and detailed. The Council's recently adopted SPDBH12, says that box dormers constructed across the full width and height of the roof will not be permitted as they give the appearance of an extra storey on top of the building. In the appeal case, the proposed dormer would extend across the whole of the rear roof of the property and almost up to the ridge. It would completely mask the traditional pitch, appearing excessively large in relation to the scale of the roof. It would also appear bulky and over-dominant in comparison with the relatively small-scale nature of the existing dwelling.
7. Positioned well within the terrace, it would introduce a feature which would be out of character with the form of the existing roofscape. In views from adjacent properties and the adjacent street, the proposal would appear bulky and discordant, disrupting the appearance of the terrace as a whole. This would be the case in spite of the presence of some other, similar roof extensions, including one on the adjoining property. In addition, the large areas of cladding would be out of keeping with the traditional appearance of the dwelling, as would the 'juliette' balcony.
8. I accept that the other examples of flat-roofed dormers in the area have had an impact on its appearance. However, where planning permission is required that impact is regulated and the current policy context seeks to ensure that, amongst other things, roof extensions are in keeping with the character of the area.
9. I conclude that the proposed dormer would, because of its size, design and materials, harm the character and appearance of the dwelling and the area. As such it would conflict with Policy QD4 of the Local Plan and with the Council's SPDBH12. Likewise, the proposal would conflict with the requirement for good design as set out in paragraph 58 of the National Planning Policy Framework.

### **Other matters**

10. I have had regard to the appellant's points that conversion of the loft space would allow the provision of a two-bedroom development and that this would provide family accommodation and comply with the Council's Local Plan Policy HO9. I have noted the appellant's points about the contribution it would make to meeting the Council's housing need, creating a well-proportioned living space which would help avoid overcrowding in the City. Nevertheless, I do not consider these benefits outweigh the harm caused by the development to the character and appearance of the host dwelling and the area.

11. I have also taken into account that the Council raised no objection regarding the impact on the living conditions of adjacent residents and that there was no opportunity to amend the design of the proposal. However, these points do not affect my conclusion on the main issue.
12. The Council has not raised any objection to the proposed roof lights on the front roof slope. Having assessed their impact on the character and appearance of the area and the living conditions of neighbouring occupiers, I see no reason to take a different view. Therefore, this element of the appeal proposal would be acceptable.

**Conclusion**

13. For the reasons given above I conclude that the appeal should be dismissed.

*T L Dow*

INSPECTOR

