
Appeal Decision

Site visit made on 11 November 2013

by G J Rollings BA(Hons) MAUD MRTPI

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

Decision date: 15 November 2013

Appeal Ref: APP/Q1445/A/13/2202896

First floor flat, 17 St Lukes Road, Brighton, East Sussex, BN2 9ZD

- 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 G Gaffney against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03871, dated 3 December 2012, was refused by notice dated 4 February 2013.
 - The development proposed is a new dormer to rear of property to add to current room in the roof, and interior en-suite bathroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and surrounding area, including the setting of the nearby listed building.

Reasons

3. The appeal dwelling occupies the upper floor and internal roof space of a mid-terrace building. The dwelling faces other dwellings at the rear, but because it is at the end of a block, its rear elevation is highly visible from the public realm, specifically from St Luke's Terrace. Visibility of the rear of the site from Freshfield Street is limited.
4. Several of the homes within this short terrace have undertaken modifications to their rear elevations, including the addition of roof dormer extensions. In particular, the rear elevations of 15, 19 and 21 St Lukes Road have been significantly altered. When viewed from St Luke's Terrace, the original roof slopes are visible only on 13 St Lukes Road, and the appeal property. The Council's adopted SPD guidance on alterations and extensions¹ notes that roof dormers should not unbalance the building or disrupt the continuity of a group, and that full-width box dormers are an inappropriate design solution that will not be permitted.

¹ SPD 12 Supplementary Planning Document – Design Guide for Extensions and Alterations (adopted 20 June 2013). This has replaced the earlier *Supplementary Planning Guidance 01* referred to within the Council's evidence.

5. The proposal incorporates a box dormer similar to those on the adjoining properties at Nos. 19 and 21. It would not comply with the guidance offered in the SPD, by virtue of its size, which would cover the full length and almost the full height of the rear roof slope, and its resultant impact on the building. Whilst the construction of the dormer would lead the rear elevation to appear similar to some of its neighbours, it would result in the loss of one of the last remaining vestiges of the original terrace's rear roof slope. The original roof shape is an important contributor to the character of the terrace, and little of the original slope remains visible in the row. As such, the total loss of the slope on this property would be detrimental to the character of the dwelling and the surrounding area.
6. I appreciate that the adjoining houses have carried out works similar to that proposed. The Council has advised that many of the works in the area were undertaken as Permitted Development, or are unauthorised. The full details of these works are not available to me, and in any case have decided this case on the basis of the evidence before me.
7. The site is visible from the entrance of the listed building. However the site and the listed building are separated by St Luke's Terrace and are not visible in the same close views. As such, the two locations are spatially separated at a sufficient distance that the appeal proposal would not detrimentally impact on the setting of the listed building.
8. The proposed development would provide some benefits in terms of upgrading the steep internal staircase, and also provide some sustainability benefits in terms of the reuse of materials. However, this is not sufficient to outweigh the harm that the proposed development would have on character and appearance. I therefore conclude that although the proposed development would preserve the setting of the listed building, it would have a detrimental effect on the character and appearance of the host dwelling and surrounding area. It would not comply with *Brighton & Hove Local Plan (2005) Policy QD14*, under which planning permission for extensions and alterations to existing buildings will only be granted if the development is well designed, sited and detailed in relation to the property and surrounding area, amongst other factors. The development would also not comply with the SPD, for the reasons set out above, or the strategic design aims of the *National Planning Policy Framework*.

Conclusion

9. While I have found that the proposed development would not result in harm to the setting of the listed building, this would not outweigh my concerns on the effect of the proposal on the character and appearance of the host dwelling and surrounding area. Therefore, for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Rollings

INSPECTOR