
Appeal Decision

Site visit made on 20 May 2014

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 11 June 2014

Appeal Ref: APP/Q1445/A/14/2214699
23A Preston Street, Brighton, BN1 2HN

- 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 Rupert Maitland against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/03850, dated 13 November 2013, was refused by notice dated 9 January 2014.
 - The development proposed is a mansard roof construction, with front and rear dormers and second storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The national Planning Practice Guidance came into force on 6 March 2014. However, it has not had a bearing on the considerations in this appeal.
3. The Council does not object to the proposed second storey rear extension or the replacement sash windows in the rear elevation. I see no reason to disagree with that position and have framed the main issue accordingly.

Main Issue

4. The main issue in this case is the effect of the proposed mansard roof extension on the character and appearance of the Regency Square Conservation Area.

Reasons

5. The appeal property forms part of a terrace of buildings lining the west side of Preston Street. In common with most properties in the terrace, it is three storeys in height and has a pitched roof set behind a parapet wall. In views from the street, the pitched roof is not generally visible and the parapet wall appears against the sky as the distinctive top edge of the appeal property. Despite being stepped to take into account the change in ground level along the street, this characteristic of the parapet is common to the adjoining properties and helps to unify this section of the terrace.
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6. The appeal proposal would replace the existing pitched roof with a taller mansard roof including a dormer window in the front elevation. The height and steeper pitched lower slope of the mansard would make it clearly visible above the parapet wall in views from the street. The proposed mansard would, therefore, undermine the skyline edge formed by the parapet wall which is currently a distinguishing feature of the host building itself and also contributes to the unity of this section of the terrace.
7. The unity in the terrace is balanced with the rhythm created by a limited number of features including the stepped parapet and canted bay windows. The proposed mansard roof would be prominent on the skyline and cause the appeal property stand out from its neighbours. It would, therefore, upset the balance of unity and rhythm which the terrace currently exhibits.
8. I recognise that 18 and 19 Preston Street have mansard roofs. However, these appear to be relatively recent additions and this roof form is not typical of the terrace. Numbers 62-64 and 67 Preston Street and the properties on the west side of Regency Square, although visible from Preston Street, are significantly different from the appeal property in their built forms and do not, therefore, offer appropriate precedents for the proposed mansard roof.
9. The appellant argues that the proposed mansard would reduce the scale of the step up between the appeal property and number 24 to the north, which is four storeys in height. Although the step up results in an abrupt change in the height of the parapet wall, it is not the only example of such an arrangement on the west side of the street and therefore, contributes to, rather than detracts from, the character of the area. Consequently, reducing the scale of the step up would not benefit the street scene.
10. I accept that the design of the proposed mansard itself is generally acceptable. Had I been minded to allow the appeal, a condition could have been used to reserve design details for further approval. To that extent, the proposal would be consistent with the advice in the Council's *Design Guide for Extensions and Alterations Supplementary Planning Document (SPD)*.
11. However, this does not outweigh my finding that the proposed mansard roof would be inappropriate to the host building and would not preserve or enhance the character and appearance of the terrace and, therefore, the Conservation Area. As such, it would conflict with policies QD1, QD2, QD14 and HE6 of the *Brighton and Hove Local Plan*. Together, these policies require extensions in Conservation Areas to have a high quality of design, relate well to the host building and surrounding area, and not harm the roofscape of the Area. Nor would the proposed mansard accord with the SPD insofar as it advises against new mansard roofs where the existing roof form is an important element of the building's character.
12. In addition, the mansard would not meet the aim of paragraph 131 of the National Planning Policy Framework (the Framework) which requires the desirability of sustaining and enhancing the significance of heritage assets to be taken into account.

Other Matters

13. The appellant argues that the appeal building is in need of substantial repair for which there is no funding. However, the nature and extent of the required repairs has not been adequately explained. Nor has any mechanism been put forward to link the proposal to the implementation of the repairs. This limits the weight that I can attach to the need for the repairs. In terms of the assessment required by paragraph 134 of the Framework therefore, whilst the impact on the Conservation Area would be less than substantial, the claimed public benefit is not sufficient to outweigh it.
14. There is nothing to indicate that the local plan policies referred to above are in conflict with the Framework.

Conclusion

15. For the reasons outlined above, the appeal should be dismissed.

Simon Warder

INSPECTOR