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# Appeal Decision

Site visit made on 24 June 2014

**by L Gibbons BA (Hons) MRTPI**

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

**Decision date: 15 July 2014**

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**Appeal Ref: APP/Q1445/A/14/2216829**

**Pets Holiday Home, 42 Shirley Street, Hove, East Sussex BN3 3WJ**

- 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 Miss K Wells against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/04326, dated 19 December 2013, was refused by notice dated 24 February 2014.
  - The development proposed is the erection of a dormer window to rear roof slope and two velux windows to the front roofslope.
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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 property and the surrounding area.

## Reasons

3. The appeal site is located within an area of older style residential development, which also includes a number of businesses and services. The houses are two-storey terraced properties, with the front elevation very close to the pavement. I note that the appeal site is not located within a Conservation Area, nor is there any listed buildings close by.
4. The proposed rear dormer would face towards the north flank elevation of No 3 Goldstone Street. The first floor rear elevation and roof of the appeal property and other properties are visible from a gap between No 44 Shirley Street and No 3 Goldstone Street, when looking east on Goldstone Street. This gap is particularly important, as it is one of a few exceptions where there are views of the rear roofscape of properties in the area from the street, as buildings otherwise block views of the roofscape.
5. I note that the scheme before me seeks to overcome previous concerns of the Council in relation to a previous planning application (BH2013/03536), including the reduction of the width of the rear dormer. I accept that the position and design of windows within the dormer would match those on the first floor. I note that the proposed dormer would be similar in design to that at No 40 to the east, which can also be seen from the gap to the north of No 3 Goldstone Street.

6. I have been referred to the Council's Supplementary Planning Document: Design Guide for Alterations and Extensions (SPD) 2012. This advises that dormers should be kept as small as possible and that the proportions, design and style should complement the existing building. Due to the size of the proposed dormer, just below the height of the ridge of the roof and across a significant portion of the width, this would obscure the majority of the existing roof and would therefore be overly dominant in relation to the modest proportions of the roof and host property. In addition, the combination of large areas of tile hanging to the side and between the windows as well as the flat roof design would result in a prominent feature on the roofscape and due to the visibility from Goldstone Street; this would be to the detriment of the area.
7. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the host property and the surrounding area. It would be in conflict with Policy QD14 of the Brighton and Hove Local Plan 2005, which amongst other things, seeks alterations to existing buildings which are well designed and sited in relation to the property, adjoining properties and the surrounding area. It would also be contrary to the SPD and the provisions of the National Planning Policy Framework where it relates to the need for high quality design.
8. My attention has been drawn to a High Court Case<sup>1</sup> and I note the reference to vantage points. However, I do not have the full details before me and am therefore unable to make a comparative assessment. I have been referred to similar extensions elsewhere including the dormer at No 40. However, I do not have the details of the circumstances surrounding their construction, nor indeed, whether they have planning permission. Even though the rear dormer at No 40 is also visible, it does not justify the unacceptable impact that would be caused by the proposal. In any case, I have determined the appeal on its own merits.
9. In respect of the front elevation rooflights, due to their small size and symmetrical position towards the ridge of the roof and adequate separation from the first floor window, they would not be disruptive to the appearance of the front of the property nor would they be detrimental to streetscene. Nevertheless, this does not outweigh my concerns in relation to the rear dormer.
10. I acknowledge that the alterations will facilitate the enlargement of the living space within the dwelling and I accept that the appeal site is located within an accessible location. However, these potential benefits do not outweigh the harm I have found.

### **Conclusion**

11. For the above reasons and having regard to all other matters raised, the appeal is dismissed.

*L Gibbons*

INSPECTOR

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<sup>1</sup> Burroughs Day v Bristol City Council