



Appeal Decision

Site visit made on 28 January 2015

by R W Allen B.Sc (Hons) PGDip MRTPI

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

Decision date: 18 February 2015

Appeal Ref: APP/Q1445/A/14/2219751

20A Braemore Road, Hove, East Sussex BN3 4HB

- 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 Ms Katerina Barrett against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/00157, dated 17 January 2014, was refused by notice dated 22 April 2014.
 - The development proposed is conversion of existing first floor 2 bedroom flat and roof above to form one 2 bedroom flat and one 1 bedroom flat.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing first floor 2 bedroom flat and roof above to form one 2 bedroom flat and one 1 bedroom flat at 20A Braemore Road, Hove, East Sussex BN3 4HB, in accordance with the terms of the application, Ref BH2014/00157, dated 17 January 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved drawings 109/01A; 109/02; 109/03; 109/04; 109/05; 109/10C; 109/12A; 109/13A and 109/14A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to occupation of the development hereby approved the roof light window located on the north facing hipped roof as shown on the approved drawing 109/13A shall be fitted with obscured glazing and shall be non-opening unless the parts of the of the roof light to be opened would be more than 1.7 metres above the floor level, and shall thereafter be retained.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the wider street scene.

Reasons

3. The appeal site is a semi-detached two-storey property converted into two flats, located within a residential street characterised by similar dwellings. At my site visit, I saw many of the dwellings in the immediate and wider vicinity, not least the adjoining property No 18 Braemore Road (No 18), have been altered and extended, including the addition of dormer windows and roof lights to the front, side and rear roof slopes.
4. The Council's Supplementary Planning Document 12 entitled Design Guide for Extensions and Alterations (SPD12), adopted June 2013, says dormer windows are inappropriate in design where they occupy the full width of the roof, and that they should be kept as small as possible and clearly be subordinate and set well off the sides, ridge and eaves of the roof. The supporting structure it says should be kept to a minimum and avoid both heavy appearances and large areas of cladding, the rule of thumb being the dormer should not be substantially larger than the window. In respect of roof lights, SPD12 says they should be kept to as few and as small as possible, should relate well to the scale and proportions of the elevation below, and should align or centre with windows below where possible.
5. The proposed dormer window would not occupy the full width of the roof. It would sit centrally within the roof slope, and would be evenly aligned between the two first floor windows which would sit beneath it. Its overall height would be well below the main ridge and would be set above the eaves level with gaps to the sides. The dormer would comprise three separate areas of glazed panels and the surrounding structure would be higher and wider than those panels. Nonetheless that would not be to a substantial extent. I find overall that the development would be a subordinate structure within the roof space, that it would not be harsh in its appearance, and that it would not be overly large or unduly prominent against the host property.
6. The proposed roof lights would not align directly with the first floor windows below. However, I find they would not be so large or numerous to result in a cluttered appearance or harm the existing roof slopes, a good proportion of which would be retained.
7. Having regard to its location on the rear roof slope and to the matters discussed above, I find the development would have little impact on the character and appearance of the area, and that the continuity of the built form would not be interrupted by the development. There would be no conflict with Policies QD2 and QD14 of the Brighton and Hove Local Plan 2005 which seek to ensure that development is well designed, sited and detailed in relation to the property to be extended. Furthermore I find that it would satisfy the guidance in SPD12.

Other Matters

8. I have noted the concerns of the occupiers of No 18 in respect of the intensification of the use of the site. I can appreciate that the quantum of flats that would be contained within the appeal building may well not be duplicated elsewhere in the vicinity. However, I have already found there would be no harm from the physical alterations to the property, and no evidence is before me that the level proposed would be so obviously incongruous and harmful, that it would lead to a noticeable departure from the area's character and

appearance. I have carefully considered the representations before me in respect of living conditions and parking. The proposed flank window would have the potential to overlook the neighbouring property at No 22 Braemore Road however this aspect can be controlled by condition. The Council has not objected to the development on these grounds and based on evidence before me I have no reason to disagree.

Conditions

9. I have considered the conditions suggested by the Council against paragraph 206 of the National Planning Policy Framework and consider they meet these tests. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning, and a condition relating to materials is necessary in the interests of the character and appearance of the area. I have also imposed an obscure glazing and non-opening condition for the north elevation flank roof light in order to protect the living conditions of the neighbour at No 22 Braemore Road.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

R Allen

INSPECTOR

