

Appeal Decision

Site visit made on 19 July 2016

by **H Porter BA(Hons) MSc IHBC**

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

Decision date: 3 August 2016

Appeal Ref: APP/Q1445/W/16/3148982 Flat 3, 4 Clarendon Place, Brighton BN2 1JD

- 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 Anthony Allen against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/00137, dated 14 January 2016, was refused by notice dated 24 March 2016.
 - The development proposed is a new mansard roof to replace existing pitched structure.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since issuing its decision, Brighton & Hove City Council (the Council) has adopted the City Plan Part One, 24 March 2016 (the City Plan). Policies HE6 and QD14 from the Brighton & Hove Local Plan 2005 (the Local Plan), as cited in the Council's Reasons for Refusal, have been retained. Policy CP15 of the City Plan is also of relevance. However, as reference to this Policy formed part of the Council's initial appeal documents, I am satisfied the appellant has seen this and been given an opportunity to comment. I am therefore satisfied that the adoption of the City Plan does not materially affect this appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host dwelling and the East Cliff Conservation Area.

Reasons

4. The significance of the East Cliff Conservation Area lies in the evolution of streets and buildings that reflect the area's development during the late 18th and 19th centuries. The character and appearance of the area is informed by the regular pattern of residential streets fronted by Regency-style terraces, and unified by a broadly consistent palette of light-coloured stucco render. At roof level, many of the terrace frontages have their roof forms concealed behind a continuous parapet. These are unifying features that give definition to terrace groups and add character and visual interest to the street scene.
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5. Numbers 2 – 6 Clarendon Place form a grouped terrace frontage, united by a broadly consistent scale, materials and architectural treatment. A continuous front parapet unites the terrace and adds definition to the group. A relatively recent roof extension at 5 Clarendon Place (No 5) is just visible above the front parapet, in spite of which the front parapet line remains as a characteristic feature of the group. It is owing to the integrity of the composition and contribution to the local street scene that the appeal building and the wider terrace make a positive contribution to the character and appearance of the East Cliff Conservation Area.
6. The appeal proposal would replace the existing pitched roof structure with a mansard-style extension. While the form and scale of the proposed extension may be similar to that at No 5, it would nevertheless introduce a significant addition to the host building. The extension would introduce an additional built form above the front parapet, which would be prominent when viewed from College Place. The impact of the proposed extension would be read in the context of the existing roof alteration at No 5, and the two together would contribute to a harmful erosion of the front parapet line, to the detriment of the unity and integrity of the terrace frontage.
7. The appeal proposal would also be highly visible from the secondary rear access route as well as from neighbouring properties. Despite the use of sympathetic materials, the increase in bulk and massing to the rear of the property would amplify the roof form and make it appear an over-dominant addition to the host dwelling. As the roof form to the rear is not characteristic of the area and differs from the neighbouring property, the appeal proposal would stand out as incongruous and further harm would arise from introducing a non-traditional roof form to the locality.
8. I do not know the planning considerations that led to the neighbouring development; however it pre-dates the adoption of SPD 12¹. In any event, I must consider the appeal proposal under the current policy context and on its own merits, and the existence of the neighbouring roof extension does not justify the harm I have identified.
9. Overall, the appeal proposal would have a harmful impact on the host dwelling, as well as a cumulative impact on the wider terrace. Through diminishing unacceptably the integrity of the group and introducing an atypical roof form, the proposed roof extension would harm the character and appearance of the surrounding East Cliff Conservation Area.
10. Given the size of the development proposed and the context of the appeal site, the degree of harm would be less than substantial. Having found harm to the designated heritage asset, I must give that harm, albeit less than substantial, considerable importance and weight. I consider the benefits of the proposal to be the introduction of slate tiles, more in keeping with the appearance of the Conservation Area, and the benefits of securing an improved standard of accommodation. In balancing the harm against these beneficial aspects of the proposal, however, the harm is not outweighed.

¹ Supplementary planning document 12 'Design guide for extensions and alterations' Brighton & Hove City Council Local Development Framework, Adopted 20 June 2013

11. I conclude that the proposed roof extension would fail to preserve or enhance the character or appearance of the East Cliff Conservation Area. The appeal scheme would thereby run contrary to the guidance contained within SPD 12 as well as the principles of the National Planning Policy Framework, 2012 (the NPPF), and fail to accord with Saved Policies QD14 and HE6 of the Local Plan and Policy CP15 of the City Plan, insofar as they seek to ensure that development preserves or enhances the character or appearance of a Conservation Area, and is well designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area.

Conclusion

12. For the above reasons and taking account of other matters raised I conclude that the appeal should be dismissed.

H Porter

INSPECTOR

