



Appeal Decision

Site visit made on 20 January 2015

by Louise Phillips MA (Cantab) MSc MRTPI

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

Decision date: 29 January 2015

Appeal Ref: APP/Q1445/D/14/2229520

20 Kingsthorpe Road, Hove, East Sussex BN3 5HR

- 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 Ayiesha Adderley against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02486, dated 23 July 2014, was refused by notice dated 29 September 2014.
 - The development proposed is described as a rear first floor infill extension, rear second floor roof terrace and two front dormers to loft conversion. The loft conversion rear dormer has been granted a certificate of lawfulness (BH2014/01598).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor rear extension with roof terrace above and glass balustrade; the conversion of the existing garage into habitable living space and replacement of the garage door with a window; and the creation of dormers to the front and rear roof slopes at 20 Kingsthorpe Road, Hove, East Sussex BN3 5HR in accordance with the terms of the application, Ref BH2014/02486, dated 23 July 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 following approved plans: 0149-A100 and 0149-A200.
 - 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.

Procedural Matters

2. The description of development in the heading to this letter is taken from the application form. However, I have used the description given on the decision notice in my formal decision because it more accurately describes the totality of the proposal.
3. I note that a Lawful Development Certificate has previously been granted for a loft conversion including a rear dormer and for the conversion of the garage into habitable accommodation (Ref BH2014/01598). This is a material consideration in my decision but I have nonetheless treated these elements of

the scheme as part of the current appeal against the refusal of planning permission.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host property and wider area, having particular regard to the front and rear dormers.

Reasons

5. The appeal property is a two-storey house with a flat-roofed garage on the north side of Kingsthorpe Road. It lies between, and is attached to, substantial commercial buildings of different styles and it is bound to the rear by a railway line and cemetery beyond. Whilst the house shares many of the characteristics of the terraced properties on Grange Road running perpendicular to the south, its immediate setting is dominated by its larger scale neighbours.
6. The appeal scheme comprises several elements as described above and neither the garage conversion nor the first floor rear extension is controversial for the parties. I have taken account of these aspects of the proposal in considering its overall effect, but I agree that they could be accommodated without detriment to the character and appearance of the building or wider area.
7. Turning to the rear dormer, this would be of a flat-roofed, box type design which would fill much of the roofslope. Whilst it would represent a rather bulky addition, near views of the roof from within the property's own garden are limited by its small size. Looking up, the eastern side of the dormer would be largely hidden behind the roof of an existing two-storey rear projection and the western side would be viewed against the taller and deeper side elevation of the adjacent commercial building. Whilst it might be possible to see it from further away to the north, these views would be across a railway line and onto principally commercial development. In this context, the dormer would not cause any significant harm. Likewise the balcony to which it would provide access would have no adverse impact.
8. Two separate dormers are proposed on the front roofslope, again with a flat-roofed design. Whilst the Council is concerned that they would not be as small as possible as required by its Supplementary Planning Document (SPD)¹, they would be set down from the ridge and would occupy approximately half the depth of the relatively shallow roofslope. The windows themselves would only be as wide as the first floor windows with which they would align and the surrounds would be proportionate. Consequently, I do not consider that they would be excessively large.
9. I appreciate that the appeal property is visible from Grange Road and that none of the similar properties therein have front dormers. However, the effect of adding such features to one house in a continuous terrace would be quite different to adding them to this one, which stands alone between significantly different buildings.
10. Therefore, while the development as a whole would alter the appearance of the existing building considerably, I conclude that it would not be harmful to its character and appearance, or to that of the wider area. Thus it would not

¹ Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

conflict with Policy QD14 of the Brighton and Hove Local Plan, or with the purpose of the SPD guidance.

Conclusion and Conditions

11. For the reasons given above, I conclude that the appeal should be allowed. I have considered the conditions suggested by the Council in light of the advice in the Planning Practice Guidance.
12. In addition to the standard commencement condition, I have imposed a condition to require the development to be carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of proper planning. The condition requiring the materials used to construct the development to match those of the existing building is necessary to protect the character and appearance of the building itself and of the wider area.

Louise Phillips

INSPECTOR

