



Appeal Decision

Site visit made on 15 January 2015

by Megan Thomas BA(Hons) in Law, Barrister

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

Decision date: 12 February 2015

Appeal Ref: APP/Q1445/A/14/2228599

Top Flat, 2 Buckingham Street, Brighton, East Sussex BN1 3LT

- 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 Louise Parker against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02355, dated 9 July 2014, was refused by notice dated 4 September 2014.
 - The development proposed is the creation of two dormers to the rear and the insertion of one rooflight to the front.
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Decision

1. The appeal is allowed and planning permission is granted for the creation of two dormers to the rear and the insertion of one rooflight to the front at Top Flat, 2 Buckingham Street, Brighton, East Sussex BN1 3LT in accordance with the terms of the application, Ref BH2014/02355, dated 9 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: Site Location Plan 1:1250 @ A4, 100.00, 100.01, 100.02 & 103.03.
 - 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
 - 4) The rooflight hereby permitted shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.
 - 5) The dormer windows hereby permitted shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such thereafter.

Procedural Matter

2. In the description of the development in the box heading and formal decision above I have used the wording from the Notice of Decision as this more
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accurately describes what is sought in the planning application. No-one is prejudiced by this variation.

Main Issue

3. The appeal site is located within the West Hill Conservation Area. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling and on the West Hill Conservation Area.

Reasons

4. The appeal site is Flat 3 at the top of a three storey terraced building which has been converted into three self-contained flats. The building has a flat-roofed three storey addition at the rear. It is located on Buckingham Street which is an attractive mainly residential street, on a modest gradient, in the West Hill Conservation Area. There is an office building with some off-street parking to the west and south of the appeal site.
5. The proposal includes the construction of two rear facing dormer windows with flat roofs and a front facing roof light in order to facilitate a shower room and additional bedroom in the flat. In coming to my decision below I have borne in mind the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
6. The proposed front rooflight would be positioned in line with the upper ground floor front door to the building. It would be a conservation style rooflight. From street level it is difficult to see front roof planes but the rooflight would be visible from private realms. It would not be large and would not unduly disrupt or harm the appearance of the host dwelling. There are other rooflights to the front roof slopes of properties in Buckingham Street and the cumulative impact of this proposed additional one would not be detrimental to visual amenity.
7. The proposed rear dormers would align with the fenestration in the storeys below. They would come close to but not exceed the height of the roof ridge and in design and size they would reflect the main rear window in the third storey. Subject to complying with conditions which are referred to below, they would reflect advice on the insertion of dormers in the Council's Supplementary Planning Document 12 *Design Guide for Extensions and Alterations* (2013). For those reasons, they would not harm the character or appearance of the host dwelling or the Conservation Area and glimpses of them would not be detrimental to visual amenity.
8. Therefore for the above reasons I conclude that the proposal would preserve the character and appearance of the host dwelling and the West Hill Conservation Area and would not be contrary to policies QD14 or HE6 of the Brighton and Hove Local Plan (2005) or Supplementary Planning Document 12.

Other Matters

9. Given the orientations and locations of the proposed rooflight and dormer windows, there would be no material intrusion into the privacy of surrounding residential or office units.

Conditions

10.I have considered the imposition of conditions in the light of advice in Planning Policy Guidance. In the interests of proper planning and for clarity, I have attached a condition which ties the proposal to the approved drawings. In order to protect the character and appearance of the building and Conservation Area, I have imposed conditions ensuring that the rooflight and the dormers are made of appropriate materials and fitted sympathetically.

Conclusion

11.Having taken into account all representations made, I allow the appeal.

Megan Thomas

INSPECTOR

