



## Appeal Decision

Site visit made on 12 March 2015

**by Ray Wright** BA(Hons) DipTP MRTPI

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

Decision date: 21 March 2015

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**Appeal Ref: APP/Q1445/D/14/2222670**

**4 Chester Terrace, Brighton BN1 6GB**

- 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 Ian Carter against the decision of Brighton & Hove City Council.
  - The application Ref BH2014/00855 was refused by notice dated 13 May 2014.
  - The development proposed is 'for new conservation rooflight to the front street elevation and new dormer window to the rear.'
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### Decision

1. The appeal is allowed and planning permission is granted for a new conservation rooflight to the front street elevation and new dormer window to the rear, at 4 Chester Terrace, Brighton BN1 6GB in accordance with the terms of the application, Ref BH2014/00855, dated 16 March 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: L-001, L002 (block plan), and L-003.
  - 3) The materials to be used in the construction of the external surfaces of the dormer, hereby permitted, shall be as detailed within the submitted application form and associated design and access statement.

### Preliminary Matter

2. A dormer to the rear of the appeal property, similar to the appeal proposal, has already been built. I have assessed the proposal on the basis of the development depicted upon the submitted plans.

### Main issue

3. The main issue in this case is the effect of the proposed development on the character of the building and whether it would preserve or enhance the character or appearance of the Preston Park Conservation Area.

### Reasons

4. The application relates to a two storey terrace dwelling, in a group of similar late 19<sup>th</sup> Century buildings, on the eastern side of Chester Terrace. The development involves the conversion of the loft space into a habitable room with external alterations.

5. The Council raise no objection to the front roof light window or to the size of the rear dormer. The roof light would be of an appropriate design and suitably located above the frontage bay window and the rear dormer of restricted proportions. Therefore, I have no reason to disagree with this assessment.
6. The rear dormer would be sited to the north side of the roof whereas the Council's guidance in 'spd 12 - design guide for extensions and alterations' (SPD) indicates a position in the centre line of the dwelling would be most appropriate. However, views of the rear roof are restricted and mainly limited to those from the rear of nearby properties and their gardens. There would, in addition, be glimpsed views in the gaps between buildings on Stanford Avenue and Cleveland Road. However, in all these the development would be seen in the context of the dormers at both adjoining properties, nos 2 and 6. The dormer at no 2 is of a similar size and in a similar position within the roof space of that property to that proposed in this appeal. The dormer to that at no 6 is nearly to the full width of that property and a dominant feature within this group of buildings. Therefore, in this case, the position of the dormer indicated would not appear awkward, or unduly interrupt the continuity of the terrace, due to the existing features on neighbouring properties.
7. The appeal property has a projecting two storey rear wing. In consequence, at close range the dormer would not be readily visible in the same plain as the window immediately below. Longer range views, from the public realm, are at an angle to the terrace. Therefore, although the dormer would not readily align with windows below, as normally required by the SPD, this would not be clearly seen and would not be visually jarring or unduly harmful to the overall appearance of the building.
8. It is confirmed within the details submitted with the application that external materials of the rear dormer are to consist of a lead roof, with slate tiled cheeks and a soft wood sash window. These finishes are sympathetic to the existing dwelling and appropriate having regard to the age of the building and its location within a conservation area.
9. Overall, the proposals would not unduly affect the character of the building and the character and appearance of the conservation area would be preserved. As such the development would not conflict with the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or SPD.

### **Conclusion**

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

### **Conditions**

11. The Council have suggested one condition should the appeal succeed. The standard commencement condition is required. In addition, a condition referring to the relevant plans, for the avoidance of doubt and in the interests of proper planning is also necessary. To allow integration of the dormer with the existing house it is important that suitable external finishes are used, therefore a condition requiring external materials to accord with the details presented with the application is also required.

*Ray Wright*

INSPECTOR