
Appeal Decision

Site visit made on 25 August 2015

by **S M Holden** BSc MSc CEng MICE TPP MRTPI FCIHT

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

Decision date: 28 August 2015

Appeal Ref: App/Q1445/D/15/3121453
156 Osborne Road, Brighton BN1 6LS

- 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 and Mrs R Salt against the decision of Brighton & Hove City Council.
 - The application Ref BH2015/01200, dated 7 April 2015, was refused by notice dated 12 June 2015.
 - The development proposed is a rear dormer extension and roof lights to front elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed roof extension on the:
 - a) character and appearance of the host property and the surrounding area;
 - b) living conditions of the occupants of No 158 in relation to visual intrusion, loss of outlook and loss of privacy.

Reasons

Character and appearance

3. Osborne Road is characterised by terraced properties dating from the early 19th century. No 156 has a two-storey gable projection on the front elevation and a two-storey pitched roof outrigger at the rear. These features are common to other properties in the street.
 4. The proposal is for a roof extension that would span the full width of the rear roof slope and would extend more than 5m along the roof of the rear outrigger. Whilst the dormer would allow the retention of the main ridge of the roof, the extension over the outrigger would involve raising its ridge by just over 1m. The rear facing elevations of the proposed roof extension would incorporate large areas of glazing and the side elevations would be metal clad. There would also be three roof lights in the front roofslope.
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5. The existing house is a modest-sized dwelling and its outrigger is paired with that of No 154. These paired outriggers are a feature of the rear elevations and are repeated along the terrace as a whole. The proposal would effectively create a third floor to the property with a flat roof. Raising the ridge of the outrigger would disrupt the symmetry of the pair and would substantially alter the basic shape of the roof. I consider this would fundamentally change the character of host property and would be harmful to the terrace of which it is a part.
6. The proposal would be large and bulky. Its scale, design, use of materials and fenestration details would fail to respect the proportions or features of the existing dwelling. It would make the building appear top-heavy and would be an unsympathetic and incongruous addition, which would overwhelm the form of the original building. The use of large areas of metal cladding would be out of character with the materials used on the host property. As the roof extension would be seen from the neighbouring gardens it would also be harmful to the rhythm and uniformity of the terrace as a whole.
7. In addition, the inclusion of three rooflights in the front roof slope would result in this part of the house appearing cluttered and would detract from the principal feature of the gable projection. This would be harmful to the host property and the wider street scene.
8. The Council's Supplementary Planning Document 12: *Design Guide for Extensions and Alterations* (SPD12), adopted June 2013, provides detailed guidance on roof alterations. It advises that box dormers using the full width and/or height of the roof are an inappropriate design solution as they give the appearance of an extra storey on top of the building. Dormer windows should be kept small and should be a subordinate addition to the roof and should align with windows in the elevation below. Materials should generally match those of the existing roof. The proposal fails to comply with these requirements and is therefore unacceptable.
9. The Government also attaches great importance to the design of the built environment. The National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development and goes on to advise that permission should be refused for development of poor design that fails to improve the character and quality of an area.
10. I therefore conclude that the proposed roof alterations would be harmful to the character and appearance of the host property and the surrounding area. The proposal would be contrary to saved Policy QD14 of the Brighton & Hove Local Plan, which requires all alterations to existing buildings to be well designed, sited and detailed in relation to the host property, adjoining properties and the surrounding area. It would also fail to comply with the advice and requirements set out in SPD12 and would not accord with the Framework's core principle of always requiring high quality design.

Living conditions

11. The proposed roof alterations would be clearly visibly from the house and garden of No 158. The additional height and bulk of the building would be seen from the side window of No 158's rear projection, which is the only window serving the kitchen. The flank wall of the outrigger at No 156 already

dominates the outlook from this window. However, the proposal would increase the sense of enclosure and further reduce views of the sky. In my view it would appear overbearing making the kitchen a less pleasant place to be.

12. The extension would also be highly visible from the small rear garden of No 158 from where it would not only appear overbearing but it would also give rise to a strong sense of being overlooked. This would be particularly apparent given the extent of the glazing that is proposed and would result in a perceived loss of privacy for the occupants of this adjoining property.

13. I conclude that the proposed roof extension would be an overbearing and un-neighbourly development that would be harmful to the living conditions of the occupants of No 158 arising from visual intrusion, loss of outlook and loss of privacy. It would therefore fail to comply with saved Policies QD14 and QD27 of the Local Plan, both of which seek to protect the amenity of adjoining occupiers. It would also be contrary to the Framework's advice of always seeking a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

14. The appellants drew my attention to other roof extensions that have been carried out nearby. I was able to see the rear of No 162 from the garden of No 156. However, I do not have details of how, or when, the Council assessed that scheme. Alterations at No 150 were carried out as permitted development and appear to be materially different in scale and materials to the appeal proposal. Neither of those alterations is directly comparable with the scheme before me, which I have considered on its individual planning merits in the light of current planning policy.

15. I appreciate the appellants wish to enlarge their home to meet the needs of their growing family. However, these personal circumstances are not a justification for allowing permanent changes to a building, which I have found to be harmful to the character and appearance of the area and the living conditions of neighbours.

Conclusion

16. For the reasons set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR

