

## Appeal Decision

Site visit made on 7 November, 2016

**by C. Jack, BSc (Hons) MA MA(TP) MRTPI**

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

**Decision date: 21<sup>st</sup> November, 2016**

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**Appeal Ref: APP/Q1445/W/16/3154565**

**First and Second Floor, 3 Marine Avenue, Hove, BN3 4LH**

- 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. M. Nicholas against the decision of Brighton & Hove City Council.
  - The application Ref BH2015/04188, dated 5 January 2016, was refused by notice dated 29 April 2016.
  - The development is a rear roof dormer and velux roof lights.
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### Decision

1. The appeal is allowed and planning permission is granted for a rear roof dormer and velux roof lights at First and Second Floor, 3 Marine Avenue, Hove, BN3 4LH in accordance with the terms of the application, Ref BH2015/04188, dated 5 January, 2016, and the plans submitted with it.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

### Preliminary Matter

3. I saw during my site visit that the development has already been completed.

### Reasons

4. 3 Marine Avenue is a two-storey terraced property, with second floor accommodation in the roof space. The property is converted into two residential units and backs onto the Aldrington Recreation Ground (Wish Park). The appeal relates to the top unit, comprising of the first and second floor. The area is predominantly residential, consisting of a variety of semi-detached and terraced properties and bungalows. The development consists of a flat-roofed dormer, which provides headroom for a shower, and two roof lights serving the rear bedroom on the second floor.
  5. The dormer is located in the side roof slope of the rear outrigger and is set down from the ridge and marginally in from the eaves. It is positioned close to the junction with the main rear roof slope and so is set well in from the back of the outrigger. The dormer has a somewhat boxy construction but it is small in comparison to most other examples of roof extensions along this side of Marine Avenue and appears subordinate to the host roof.
  6. The siting, design and modest scale of the dormer are also such that it is relatively inconspicuous in the varied roof profile along Marine Avenue that is
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visible from public viewpoints in Wish Road and Wish Park, such that it does not unbalance the building or disrupt the continuity of the terrace. While the materials used are not an exact match for those of the host building, they blend sufficiently well in terms of colour and texture that the difference is barely perceptible in public views.

7. It is apparent from the side elevation drawing that the window in the dormer is somewhat misaligned with the windows at ground and first floor level below it. However, due to the angle at which views into the site are gained, and the presence of the rear extension at 1 Marine Avenue, which blocks views of the ground and first floor windows from the Wish Road, this misalignment is also barely perceptible in public views.
8. The two roof lights are situated in the side roof slope of the rear outrigger, between the dormer and the back of the outrigger. They are appropriately positioned midway down the roof slope, have an unobtrusive profile that is almost flush with the roof plane, and are reasonably well related to the scale and proportions of the elevation below.
9. For these reasons, I conclude that the development does not harm the character and appearance of the area. Accordingly, I find no conflict with retained Policy QD14 of the Brighton and Hove Local Plan 2005, which seeks among other things to ensure that extensions and alterations to existing buildings, including the formation of rooms in the roof, are well designed, sited and detailed in relation to the host property, adjoining properties and the surrounding area. It is also generally consistent with the Council's adopted Supplementary Planning Document 'Design Guide for Extensions and Alterations' 2013 (SPD12) in respect of its guidance for dormers and roof lights.

### **Conditions**

10. The Council has not suggested any conditions. The development is complete and I consider that no conditions are necessary.

### **Conclusion**

11. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

*Catherine Jack*

INSPECTOR