
Appeal Decision

Site visit made on 15 November 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 2 December 2016

Appeal Ref: APP/Q1445/D/16/3161026
76 Hythe Road, Brighton BN1 6JS

- 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 Jason Muir against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/02536, dated 7 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is the addition of a pitched roof with front and rear dormers to existing property, replacement of external cladding materials and window frames, and rear extension at basement level.
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Decision

1. The appeal is allowed and planning permission is granted for the addition of a pitched roof with front and rear dormers to existing property, replacement of external cladding materials and window frames, and rear extension at basement level at 76 Hythe Road, Brighton BN1 6JS in accordance with the terms of the application, Ref BH2016/02536, dated 7 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbers 1601-001, 1601-020, 1601-021, 1601-022, 1601-025, 1601-027 and 1601-028.

Main Issue

2. The main issue is the effect of the proposed front and rear dormers and proposed materials to the front elevation on the character and appearance of the existing building and surrounding area.

Reasons

3. The character of Hythe Road alters abruptly at no. 76. Neighbouring properties from no. 78 comprise a long terrace of Victorian houses, but it and dwellings to the other side are more modern properties that are built in close proximity to each other, forming an eclectic mix of detached, semi-detached and terraced houses. To the rear is Preston Park Conservation Area, the rear boundary of the property forming the edge of the conservation area.
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4. The property at no. 76 is currently a flat roofed dwelling constructed up to the boundaries of the property and the side walls of the neighbouring houses. It is proposed to construct a pitched roof above the existing building with large front and rear dormers, such that the ridge height would reflect that of surrounding houses.
5. The proposed front dormers would extend over most of the width of the roof. However, this is not unusual on more modern properties within the street, a number of which have dormer windows of various sizes, some with areas of cladding between and around windows, including a dormer of similar proportions at no. 74 adjacent. The colour of the grey cement particle board cladding would assist the dormer in blending into the building and appearing subservient. As a result, the front dormer window proposed would reflect the character and appearance of this part of the street scene.
6. The proposed rear dormer window is larger in terms of width and height, extending across the full width of the dwelling and almost the whole depth of the roof. There are other examples of large dormer windows to the rear of dwellings in the vicinity and a number of nearby buildings have flat roofs to the rear. As with the front dormer, the grey cement particle board cladding would assist in blending the dormer into the building such that it would appear subservient. Consequently, the proposed rear dormer window would reflect the appearance of other dwellings in the vicinity.
7. The proposed refurbishment of the property would include replacing much of the external finishes with more modern materials. There is a variety of materials along the more modern part of Hythe Road, up to and including no. 76, that provide an individual identity to each of the buildings in the street. Whilst I accept that some of the materials proposed would not reflect those on other properties in the street and it would result in an individual appearance to this property, they would reflect the variety and individuality of properties within the street.
8. I note that the proposed development would not comply with the guidance contained within the Supplementary Planning Document 12: design guide for extensions and alterations. However, that provides general guidance across the city and the particular circumstances of this case, specifically the character and appearance of nearby properties, lead me to a different conclusion for the reasons set out above. For similar reasons I conclude that the proposed development would preserve the setting of the adjoining Preston Park Conservation Area.
9. I conclude that the proposed front and rear dormers and proposed materials to the front elevation would not harm the character and appearance of the existing building and surrounding area. As such, the proposed development would comply with Policy QD14 of the Brighton & Hove Local Plan that states that extensions and alterations to existing buildings, including the formation of rooms in the roof, should be well designed in relation to the property, adjoining properties and the surrounding area and using materials sympathetic to the building.
10. The Council suggest that the basement level single store rear extension is a suitable addition to the property and I see no reason to disagree with their conclusions on this element of the development.

Conditions

11. I have attached conditions limiting the life of the planning permission in accordance with the requirements of the Act and specifying the relevant drawings as this provides certainty.

Conclusion

12. For the above reasons and taking into account all other matters raised I conclude that the appeal should succeed.

AJ Steen

INSPECTOR