
Appeal Decision

Site visit made on 8 November 2016

by R J Marshall LLB DipTP MRTPI

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

Decision date: 12 December 2016

Appeal Ref: APP/Q1445/D/16/3156649

102, Longhill Road, Ovingdean, East Sussex, BN2 7BD

- 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 Chris Ellison against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/00167, dated 12 January 2016, was refused by notice dated 12 April 2016.
 - The development proposed is front and rear flat roof dormers added to the existing loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for front and rear flat roof dormers added to the existing loft conversion at 102, Longhill Road, Ovingdean, East Sussex, BN2 7DB in accordance with the terms of the application, Ref BH2016/00167, dated 12 January 2016, and the plans submitted with it, 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 shall take place until samples of the materials to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: BSB/15/377/1 and BSB/15/377/2 other than required by compliance with condition 2 above.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the appeal building and the surrounding area.

Reasons

3. The appeal building is a modestly sized bungalow in a backland location on a steep hillside largely surrounded by well landscaped gardens. Being screened by a frontage house and extensive garden planting means that it is largely, if not entirely, screened from the public highway. Certainly the proposed additions would not be seen from the highway. Extensive garden planting, and

the lie of the land, has resulted in the appeal building being deeply inset into the site at the rear. As such views of the bungalow from adjoining locations are so limited that the proposed development would not be readily apparent.

4. The proposal is for 2 dormers, 1 to the rear of the bungalow and 1 to the front. Both would have flat roofs extending almost, if not completely, to the existing ridge line and would be located at one end of the bungalow. The rearmost dormer would be elongated in shape and would be relatively small given that it would extend only partially down the roof slope. It would contain no windows and would be constructed mainly of cedar weatherboarding. The front dormer would be narrower and have a greater vertical emphasis. It would extend further down the roof slope but would be reasonably set up from the gutter line. It would contain French windows opening out onto an inset balcony. The solid surfaces of this dormer would also be of cedar weatherboarding.
5. Policy QD14 of the Brighton and Hove Local Plan (LP) (2005) says that planning permission for extensions will only be granted if they are well designed, sited and detailed in relation to the property to be extended and the surrounding area. There is guidance on how that may be achieved in the Council's Supplementary Planning Document (SPD) design guide for extensions and alterations (2013).
6. The proposed dormers would be sufficiently modest in size as not to appear overlarge even in the absence of windows in the rearmost dormer. Being relatively small they would appear acceptably subservient and would not, even by extending almost to the ridge line of the bungalow, give the appearance of an extra storey on top of the building. And on a building where there is limited symmetry in the existing fenestration I see no harm in the dormers not aligning with the windows below. I have some reservations about the use of weatherboarding on the face of the dormers given the other external materials. However, this could be overcome by condition. To the extent above there would be no harm to the objectives of the SPD notwithstanding some conflict with specific requirements. The SPD is a broad brush document and cannot cater for every possible circumstance.
7. The dormers would, though, give rise to a rather unbalancing effect by being located so much to one end of the bungalow, and to this extent appear rather incongruous. This would especially be the case with the combined front dormer and inset balcony. Thus, notwithstanding my findings above, there would be some, albeit modest, harm to the character and appearance of the appeal building. However, so notably well screened from view is the appellant's bungalow that this modest degree of harm would not, in this particular case, translate to harm to the character and appearance of the wider area.
8. The appellant has provided many examples of other development in the vicinity. However, most differ significantly from what is being proposed. My decision is based on the individual merits of what is before me.
9. It is concluded that whilst there would be some harm to the character and appearance of appeal building there would, crucially, be no harm to the character and appearance of the surrounding area. Thus partial conflict with LP Policy QD14 should not stand against the proposal.

Conditions

10. In addition to the standard condition on the commencement of development the Council is seeking conditions requiring the submission and approval of materials and that the development be constructed in accordance with the approved plans. I consider that they are necessary to ensure a satisfactory development and shall impose them.

Conclusion

11. For the reasons give above it is concluded that the appeal should be allowed.

R J Marshall

INSPECTOR