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## Appeal Decision

Site visit made on 23 July 2019

**by Martin Small, BA (Hons), BPI, DipCM, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28<sup>TH</sup> August 2019**

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**Appeal Ref: APP/Q1445/W/19/3228061**  
**1A, Park View Terrace, Brighton, BN1 5PW**

- 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 James Harper against the decision of Brighton & Hove City Council.
  - The application Ref: BH2018/03873 dated 18 December 2018, was refused by notice dated 28 March 2019.
  - The development proposed is described as works to convert the loft into a living space with a flat roofed dormer subordinate to the main roof at the rear of the property. Also, to include the adding of Velux style windows and removing the chimney at the end of the terrace (chimney stack already removed).
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### Decision

1. The appeal is allowed and planning permission is granted for works to convert the loft into a living space with a flat roofed dormer subordinate to the main roof at the rear of the property and the adding of Velux style windows and removing the chimney at the end of the terrace at 1A Park View Terrace, Brighton, BN1 5PW in accordance with the terms of the application Ref: BH2018/03873 dated 18 December 2018, 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 strict accordance with the following approved drawings: Site Location Plan, Block Plan, Floor Plans and Existing and Proposed Drawings.
  - 3) The external finishes of the development hereby permitted shall match in materials, colour, style, bonding and texture those of the existing dwelling.

### Main Issue

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

### Reasons

3. The appeal property is an upper storey flat located at one end of Park View Terrace, which forms part of Stanford Road and comprises attractive 2-storey double fronted dwellings set back from and above the street. Stanford Road continues to the other side of the appeal property with a terrace of similar dwellings, separated from the appeal property by a small gap.

4. The proposed flat roofed dormer to the rear roof slope would not extend the full width of the roof and would sit below the existing ridge line. Nevertheless, it would still dominate the rear roof slope and its flat roofed form and bulk would jar with the roofscape of the appeal property and thus harm the character and appearance of the property.
5. However, many of the other properties in Park View Terrace and Stanford Road already have box dormers to the rear roof slopes as I confirmed during my site visit. I am not aware of the details of the planning history of these although I note the Council's suggestion that these may have been erected as permitted development. Nevertheless, these dormers exist and are sufficient in number to form part of the established character and appearance of the area.
6. The proposed dormer would be comparable in size and design with these other dormers such that it would not appear incongruous when viewed from properties neighbouring and backing on to the appeal property. No objections were made to the proposed development by the occupiers of these properties. The proposed dormer would be hidden from view from Park View Terrace and Stanford Street to the front of the property.
7. Notwithstanding the elevated position of the appeal property relative to the street, the front roof slope is visible from the street. The proposed rooflights would also be visible. However, although large relative to the roof the rooflights would only be seen at an oblique angle which would reduce their apparent size. Furthermore, they would be aligned with the lower floor windows. A significant number of the other properties in Park View Terrace and Stanford Road already have roof lights in their front roof slopes, including the adjoining property, 2 Park View Terrace. Accordingly, I do not consider that the proposed roof lights for the appeal property would be harmful to the character and appearance of the area.
8. I therefore conclude that the proposed development would not conflict with Policy QD14 of the Brighton & Hove City Plan Part One (2016).

## **Conclusion**

9. For the reasons given above, I conclude that the appeal should be allowed, and planning permission granted subject to conditions which are necessary in the interests of certainty and to ensure the satisfactory appearance of the development.

*Martin Small*

INSPECTOR