



Appeal Decision

Site visit made on 4 September 2019

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2019

Appeal Ref: APP/Q1445/W/19/3231044

Flat 1, 80 Rose Hill Terrace, Brighton, East Sussex BN1 4HH

- 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 William Diep against the decision of Brighton & Hove City Council.
 - The application Ref BH2018/03643, dated 28 January 2019, was refused by notice dated 26 March 2019.
 - The development proposed is enlargement of existing dormer to rear plus installation of two velux windows to front, together with replacement staircase from first to second floor.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. The Council has used a different description, which accords with the description provided by the appellant on the appeal form, and is enlargement of existing rear dormer and installation of front rooflights. Since the proposed staircase comprises internal alterations, my decision is based on the revised description.

Main Issue

3. The main issue is the effect of the proposed dormer on the character and appearance of the host property and wider surrounding area.

Reasons

4. The appeal property forms part of a two storey plus basement, pitched roof, residential terrace, located on the south side of Rose Hill Terrace. The appeal property comprises the upper flat, occupying the first floor and roof space. A small flat-roofed rear dormer serves the existing roof accommodation.
5. The proposed replacement rear dormer would occupy a considerable amount of the rear roof slope, and would dominate this particular part of the roof due to its width and depth and the position of its roof in close proximity to the main roof ridge. The result would be a visually dominant and discordant addition to the roof. This would be at odds with the simple uncluttered roof slope of the

- original terrace and would visually compete with the multi-potted chimneys and dividing parapets which are positive features of the original terrace roof.
6. Furthermore, the proposed wide horizontal design of the dormer would be out of keeping with the narrow vertical form of the rear elevation windows and the dwelling as a whole. This would serve to exacerbate the incongruous, top-heavy appearance of the dormer. Accordingly, the proposal would have a materially harmful impact on the character and appearance of the host property.
 7. The rear roof of the appeal property is highly visible in the street scene when viewed from London Terrace. The appeal proposal would appear as a bulky and incongruous addition to the rear roof slope, drawing the eye, and detracting from the aforementioned positive roof features of the building and terrace. In this respect, the proposal would materially harm the character and appearance of the area when viewed from within the context of London Terrace.
 8. The appellant has drawn my attention to other existing dormers in the area, including those at Nos 4, 13 and 79 Rose Hill Terrace. I am not aware of the particular circumstances relating to the planning status of the nearby dormers, which may have been constructed under permitted development rights where related to single dwelling houses. In any event, I have considered the appeal proposal on its individual planning merits and in the context of the character and appearance of the immediate locality. The existence of the other identified dormers in the area does not justify the harm that I have found.
 9. For the above reasons, I conclude that the proposed enlarged dormer would cause significant harm to the character and appearance of the host property and the wider surrounding area. It would therefore be contrary to Policy QD14 of the Brighton and Hove Local Plan 2005 Brighton and Hove Local Plan Policies Retained on Adoption of the Brighton and Hove City Plan Part One (March 2016) and Supplementary Planning Document 12 Design Guide for Extensions and Alterations (June 2013). These, amongst other aims, require new extensions to be well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area, and new dormers to be kept as small as possible and clearly be a subordinate addition to the roof. For similar reasons, the proposal would also be contrary to Policies of the Framework which seek to secure high quality design as set out in Chapter 12.

Conclusion

10. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR