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## Appeal Decision

Site visit made on 16 October 2019

**by L Crouch BA (Hons) MSc IHBC**

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

**Decision date: 12<sup>th</sup> November 2019**

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**Appeal Ref: APP/Q1445/D/19/3236429**

**73a Eldred Avenue, Brighton BN1 5EF**

- 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 Ms Sharon Janes against the decision of Brighton & Hove City Council.
  - The application Ref BH2019/00491, dated 13 February 2019, was refused by notice dated 13 June 2019.
  - The development proposed is front facing dormer construction.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the appeal site and the surrounding area.

### Reasons

3. The appeal property is a detached bungalow situated within a predominantly residential area. Ground levels rise steeply from the street towards the site, and upwards along Eldred Avenue, giving increased prominence to the properties on the western side of the street, especially their roof slopes. This is accentuated by the bungalow's ridge height which is higher than the ridge height of properties on the opposite side of the street. The property has a simply designed and proportioned pitched roof with a loft space that has been converted with roof lights to the front roof slope and a dormer window to the rear. As such, even though there are examples of roof lights within front roof planes in the area, the appeal property contributes in a positive manner to the largely unaltered appearance of the front roof planes in the immediate area. Where there are dormer windows additions in the vicinity these are principally concentrated to the rear.
4. The proposed dormer would, by virtue of its bulky appearance, excessive scale and flat roof form, result in a visually dominant addition to the roof slope, and thus the street scene. This would be exacerbated by its proposed position high up and close to the ridge, which would result in a top-heavy appearance. While the sides of the dormer window would be set into the roof plane and matching materials used, they would clearly be seen when approaching the site from both directions, resulting in a highly visible, incongruous addition in the street scene, detracting from the relatively unaltered appearance of the front roof

planes. The proposal would cause harm to the character and appearance of the surrounding area.

5. The proposal's design, positioning, scale and form would result in an over-developed appearance to the roof. Overall this would result in an extension which is not modest or subservient but of a significant harmful scale in relation to the simply designed and proportioned pitched roof. The proposal would not respect the architectural integrity of the original building.
6. I recognise that the appellant considers that the proposal to be well-designed, relate well architecturally to the property and existing extensions. However, even if the proposal would provide the appellant with a larger bedroom in the loft space, the proposed development would, by virtue of its harmful scale, appearance, positioning and form, result in an unacceptable visually dominating and incongruous extension, in relation to the dwelling and its roof slope.
7. I note that the appellant states that the proposal would be in-line with several paragraphs from the National Planning Policy Framework (the Framework), in terms of placing importance on local character, history and the identity of local surroundings and materials. Whilst these have been revised in the 2019 version of the Framework, such emphasis does remain. For the reasons set out above, the proposal would not comply with the Framework's clear emphasis on good design.
8. Consequently, I conclude that the proposed development would harm the character and appearance of the appeal site and the surrounding area. As such, the proposal would conflict with Policy QD14 of the Brighton and Hove Local Plan 2005; which seeks to ensure well designed, detailed and sited extensions and alterations which are appropriate to the property and to its surroundings.
9. There would also be conflict with the principles set out in the accompanying Brighton and Hove City Council's Supplementary Planning Document 12 Design Guide for Extensions and Alterations 2013 (SPD), which seeks dormer windows of a subordinate scale and appropriately positioned on the roof.
10. As part of their case, the appellant says that the proposal would accord with Local Plan Policy QD27 which seeks to protect amenity. Given the evidence before me, I have no reason to disagree with this view. Yet, this does alter or outweigh my findings in respect of the character and appearance of the area.

## **Conclusion**

11. For the reasons given above, I conclude that the appeal be dismissed.

*L Crouch*

INSPECTOR