
Appeal Decision

Site visit made on 7 January 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 17 January 2020

Appeal Ref: APP/Q1445/D/19/3238007

34 Fernwood Rise, Brighton BN1 5EP

- 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 Jamie Wadman, Stylo Renovations, against the decision of Brighton & Hove City Council.
 - The application Ref BH2019/01965, dated 1 July 2019, was refused by notice dated 28 August 2019.
 - The development proposed is hip to gable roof extensions incorporating a rear dormer, juliette balcony, rooflights to the front and side elevations with associated alterations.
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Decision

1. The appeal is allowed and planning permission granted for hip to gable roof extensions incorporating a rear dormer, juliette balcony, rooflights to the front and side elevations with associated alterations at 34 Fernwood Rise, Brighton BN1 5EP in accordance with the terms of the application, Ref BH2019/01965, dated 1 July 2019, 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: 'Existing Plans - 2019-07-01' Rev A and 'Proposed Plans - 2019-07-01' Rev A.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on 'Proposed Plans - 2019-7-01' Rev A.

Procedural Matter

2. In the heading above and in my decision, I have used the description of development from the Council's decision notice. It adequately and simply describes the proposed development instead of the much longer and detailed description given on the application form. This still reflects the planning application proposal. I note that the appellant also uses the Council's description of development on his appeal form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and the wider area.

Reasons

4. The appeal site comprises a detached bungalow located on the north-east side of Fernwood Rise. It has a hipped roof and a single-storey rear extension with a flat roof and rooflights. The building is typical of the development in the surrounding area, the street-scene of which is generally characterised by detached bungalows. A number of properties in the vicinity of the site have been subject to extensions and alterations, including roofs, of varying architectural styles, sizes and constructed of a mixed pallet of external materials.
5. The development proposed would include hip to gable roof extensions incorporating a rear dormer similar to that approved¹ by the Council in 2018. The Council has raised no concerns with regards to the proposed additional juliette balcony, or the rooflights found to be acceptable and thus permitted under the previous approved scheme. Given that context and as the increase in the volumetric size of the proposed rear dormer (the Council calculate an increase of around 6.5m³) together with the more extensive use of weatherboard cladding for the rear roof and dormer are the only significant differences to the previously approved scheme, it is a material consideration to which I attach significant weight.
6. Whilst the proposed rear dormer would extend across virtually the entire width of the rear elevation it would be set down slightly from the ridge line and would be set back a little from the main rear elevation at eaves level. Based on the evidence before me and what I saw on my site visit, although the proposed dormer would be large, taking into account the existence of other similarly sized rear dormers in the vicinity of the appeal site, it would not be an unduly bulky or dominant feature out of character with alterations to other properties in the surrounding area.
7. By virtue of its position on the rear elevation of the building and proximity of neighbouring properties, views of the dormer from the street would be limited. Although the proposal, in combination with the existing rear extension, would be clearly visible from a number of neighbouring properties and their gardens, it would be seen in the context of the existing rear extensions and dormers of other properties in the area. Thus, it would not be at odds with the appearance of some other development in the vicinity, nor would it relate poorly to the existing building.
8. The development would use weatherboard cladding which differs from hanging tiles and timber more readily used in the surrounding area. However, by virtue of it being light grey and not brightly coloured, notwithstanding it would be used for all the new elevations apart from the forward roof slope, it would not be out of keeping within the local context taking into account the mixed pallet of external materials used in the area.
9. For the reasons outlined above, I conclude that the proposed development would not be harmful to the character and appearance of the host building and the wider area. Consequently, in this regard, it would not conflict with Policy QD14 of the Brighton & Hove Local Plan 2005 (LP) which, amongst other things, seeks to ensure extensions and alterations to existing buildings are well

¹ Planning application reference: BH2018/00356

designed and detailed in relation to the property to be extended, adjoining properties and to the surrounding area.

Other Matters

10. Third parties have raised a range of issues about the proposal. These include concerns about loss of privacy, outlook and light as a result of overshadowing. These concerns are not shared by the Council. Based on my site observations I see no reason to disagree.
11. I note that concern has also been raised that the proposal would have a detrimental effect on property value. However, it is well-established² that the planning system does not exist to protect private interests such as the value of property.

Conditions

12. Planning permission is granted subject to the standard three-year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect. In the interests of the character and appearance of the area, it is necessary to impose a materials condition.

Conclusion

13. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Andrew Bremford

INSPECTOR

² Planning Practice Guidance - Paragraph: 008 Reference ID: 21b-008-20140306