
Appeal Decision

Site visit made on 7 January 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2020

Appeal Ref: APP/Q1445/W/19/3237589
16 - 18 Selborne Road, Hove BN3 3AG

- 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 JB Howard Properties Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2017/02294, dated 6 July 2017, was refused by notice dated 29 August 2019.
 - The development proposed is roof extension to facilitate creation of 1no one bedroom flat with installation of rooflights and side panelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.
3. For reasons of precision, I have taken the site address above from the Council's decision notice and the appellant's appeal form, as it more accurately reflects the location of the proposed development than that given on the original application form. I shall determine the appeal on this basis accordingly.

Main Issues

4. The main issues are effect of the proposed development on
 - (i) the character and appearance of the host building and area, having particular regard to the site's location within the Willett Estate Conservation Area; and
 - (ii) the living conditions of the future occupants with particular regard to outlook.

Reasons

Character and appearance

5. The appeal property comprises a pair of large semi-detached three-storey buildings with basements, which have been subdivided into flats, situated

- within a predominantly residential area and the Willett Estate Conservation Area (CA). The neighbouring properties comprise of a dense mix of generally two and three-storey detached and semi-detached properties set in narrow plots. The significance of the buildings is derived from their substantial scale and traditional design, large bay frontages with hipped and double pitched butterfly slate roofs with a central valley.
6. The proposal would involve the construction of a roof extension to create additional accommodation for an existing residential unit. The proposal would involve the infilling of the central roof area with a flat crown design and an extension of the side roof slopes to match the existing ridge line. The extension would result in the provision of metal framed and glazed panels to the side roof slopes and 2no. rooflights on the rear roof slopes.
 7. The Council's Architectural Feature Supplementary Planning Document 2009 (SPD09) Design Guide for Extensions and Alterations SPD 2013 (SPD12) advises that the roofs on historic buildings are an integral part of the overall design and roof extensions in Conservation Areas must respect the architectural character of the building and be carefully related to it.
 8. The proposed extension would result in a material alteration to the property's butterfly roof, which when viewed from the side of the building, currently makes a positive contribution on the roofscape of the host building and the surrounding area. These shortcomings are exacerbated by the extension's position, which I observed would be visible over short distances between the buildings from a number of public vantage points along Selborne Road. As such, I consider the proposed development would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the host property and the area.
 9. I have considered the appellant's statement that the design of the proposed development has been carefully considered in order to take into account the character of the host property and the other roof extensions in the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposed extension with the host property, these aspects again do not overcome the adverse effects outlined above. As such, I consider that the development would adversely harm rather than positively contribute to the character and appearance of the host property and the area.
 10. Given the location of the appeal site within the CA, special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that the appeal scheme, by virtue of its siting and design would have a negative material impact and would fail to preserve or enhance the CA.
 11. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraphs 196 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to provide additional living accommodation and secure its optimum viable use. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
 12. Consequently, I conclude that the development would adversely harm the character and appearance of the host building and the area, including the CA.

It would conflict with the overall design and conservation aims of Saved Policies Q14 and HE6 of the Brighton and Hove Local Plan 2015 (BHLP), SPD09 and SPD12. These policies and guidance, amongst other things, seek to ensure that development proposals for extensions or alterations of buildings will be of a high standard of design in relation to property to be extended and the character of the surrounding area; and preserve or enhance the character or appearance of the conservation areas.

Living conditions of the future occupiers

13. The submitted plans for the one bedroom flat would create a reasonable sized open-plan living/kitchen area in the roof of the property. This area would be served by a rooflight and large full height glazed roof panels on the side roof slopes. The plans also show the bedroom associated with the flat overlooking the rear of the property via a rooflight.
14. Whilst the outlook from the bedroom via the rooflight would be restricted, the outlook over the side of the property via the glazed roof panels would be reasonably open and would allow reasonable light penetration. The future occupants of the flat would spend much of their household and leisure time relaxing in the open-plan living/kitchen area. Overall, I consider the proposal would provide a satisfactory level of outlook and a reasonable standard of accommodation for the future occupiers in this particular case.
15. Taking all matters into account, I am satisfied that the development would not have an unacceptable impact on the living conditions of the future occupants. Accordingly, there would be no conflict with Policy QD27 of the BHLP which seeks, amongst other things, to ensure development does not cause material nuisance and loss of amenity to the proposed occupiers.

Other Matters

16. I have noted the other developments in the area drawn to my attention by the appellant. However, the roof extensions to the properties along Selborne Road have different development characteristics to the appeal scheme and I am unaware of the full circumstances associated with these developments. In any event, each proposal falls to be assessed primarily on its own merits and as such accord them limited weight as precedents in this case.
17. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing an additional flat to boost the housing supply within an accessible location. Whilst I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR