



Appeal Decision

Site visit made on 8 June 2021 by M Long

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2021

Appeal Ref: APP/Q1445/D/21/3269361

14 Edburton Avenue, Brighton BN1 6EJ

- 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 Tom Allen against the decision of Brighton & Hove City Council.
 - The application Ref BH2020/02693, dated 23 September 2020, was refused by notice dated 23 December 2020.
 - The development proposed is the installation of 1No. additional conservation style rooflight to the front elevation.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Preston Park Conservation Area.

Reasons for the Recommendation

4. The appeal site is located within the Preston Park Conservation Area which predominantly derives its significance from its impressive variety of historic housing as well as its largely uniform terraces. The appeal site is a two storey, mid-terrace property which forms part of a wider terrace that is characterised by dwellings of a similar design. There are some modest alterations to these dwellings, including individual front rooflights, which have somewhat reduced the level of uniformity across the terrace. Nevertheless, the terraced dwellings remain mostly in their original form and their appearance benefits from a limited number of interventions in their front elevations.
5. The proposed development is the installation of a second, additional conservation style rooflight to the front roof slope of the appeal dwelling. The proposed rooflight would be positioned above the front entrance and its design would match that of the previously approved front rooflight.
6. Due to the limited number of interventions in the appeal terrace's front roof slopes, the proposed rooflight would detract from the uniformity that is intrinsic to the character of the terrace and would therefore be a harmful addition to the

Edburton Avenue streetscene. There appears to be no other dwelling along this particular terrace with two approved front rooflights and so the proposal would be an incongruous feature to the roofscape.

7. The appellant has demonstrated a consideration of the scale and materials of the proposed front rooflight. While the proposal would appear sympathetic to the host dwelling's existing rooflight, its considered design would not sufficiently mitigate its harm to the wider appeal terrace.
8. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Due to the moderate size and scale of the proposed front rooflight, the extent of the development's harm to the heritage asset would be less than substantial. However, no substantive public benefits have been put forward to outweigh this harm and, in line with the National Planning Policy Framework, great weight has been given to the conservation of heritage assets.
9. Given the above, the proposal would not preserve or enhance the character or appearance of the Preston Park Conservation Area. It would conflict with Policy CP15 of the Brighton & Hove City Plan Part One, adopted March 2016, which seeks to ensure development conserves and enhances the city's historic environment through giving the greatest weight to designated heritage assets. It would also conflict with the Brighton & Hove Local Plan, adopted July 2005. Specifically, saved Policy HE6 which seeks to ensure there is no harmful impact on the roofscape of a conservation area and saved Policy QD14 which seeks to ensure development is well designed in relation to the surrounding area.

Other Matters

10. The appellant has directed my attention towards a number of properties in the local area that have two approved front rooflights. Upon my visit to these sites, I considered these properties to be situated within a different context to the appeal terrace. As views of these properties are limited from the appeal site, I do not consider there to be a precedent for a second, additional front rooflight at the appeal dwelling. In any event, each case must be determined on its own individual planning merits.

Conclusion and Recommendation

11. The proposed development would not accord with the development plan, when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR