

Appeal Decision

Site visit made on 20 May 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/Q1445/D/22/3294985

61 Wordsworth Street, Hove BN3 5BH

- 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 Sarah Barclay against the decision of Brighton and Hove City Council.
 - The application, Ref. BH2021/04100, dated 15 October 2021, was refused by notice dated 13 January 2022.
 - The development proposed is a flat roof dormer roof loft conversion to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for a flat roof dormer roof loft conversion to the rear at 61 Wordsworth Street, Hove in accordance with the terms of the application, Ref. BH2021/04100, dated 15 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this Decision;
 - 2) The development shall be carried out in accordance with the following approved plans: OS Location Plan and Drawing Nos. 2021-01 & 2021-02;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the host dwelling and its surroundings.

Reasons

3. The Council's concern is that the proposed dormer to facilitate the loft conversion and provide additional space would be an overly dominant and unsympathetic conversion that would appear as an additional storey rather than as a subservient roof addition. As such, it is considered that the development would harm the appearance of the site and the wider area.
 4. However, I saw on my visit that this is a street with a tightly knit urban grain of an essentially identical development pattern in Cowper Street to the south and Montgomery Street to the north. The effect of this pattern is for the most part to preclude any views of rearward extensions from the public realm. The
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officer's report acknowledges that this is the case for the appeal scheme, with the visual impact of the proposal from the street confined to the insertion of three roof lights in the front roof slope. The Council has also stated that it does not take issue with these roof lights.

5. The Council's planning policies and guidance for extensions to dwellings require development proposals to be in keeping with the host building and the surrounding area. In this regard I was able to observe a plethora of roof additions and alterations to houses including dormers extending over the full extent of the main roof plane on adjoining houses in Wordsworth Street. There were also similar extensions to the rear of houses in Montgomery Street but including an addition to the outrigger of a similar design and scale as that proposed in the appeal scheme. This was also referenced in the grounds of appeal.
6. However, the appeal statement provides a much more comprehensive survey and appraisal of not only these near neighbours but also further afield in other parts of Wordsworth Street, Montgomery Street and Cowper Street. The large number of roof extensions has changed the original character of the area and they include a number of 'L-shaped' extensions that incorporate the outrigger, essentially the same development as that proposed in the appeal scheme.
7. The appellant's fallback position is also argued as a material consideration that would result in an extension of a very similar form and scale to that now proposed. In this regard the grounds of appeal include a substantial body of evidence in the form of Lawful Development Certificates and planning appeal decisions that permit a roof extension of the type proposed in this appeal.
8. From all that I have seen and read I conclude that the proposal closely reflects what would be approved as a Class B Lawful Development. And in the particular circumstances of this case, and where there are a great many other roof extensions that help to define the character and appearance of the area, it would be inequitable to withhold planning permission. Any conflict with Brighton Local Plan Policy QD14 and City Plan Part 2 Policy DM21 would not be such as to cause demonstrable harm to the host dwelling and its surroundings. This would also apply to Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021.
9. I shall therefore allow the appeal. A condition requiring matching external materials is required to maintain visual amenity and a condition stipulating that the development is carried out in accordance with the approved plans is needed for clarity and is in the interests of proper planning.

Martin Andrews

INSPECTOR