



Appeal Decision

Site visit made on 3 August 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 18 August 2022

Appeal Ref: APP/Q1445/W/22/3292564
106 Springfield Road, Brighton BN1 6DE

- 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 Reuben Jankovic against the decision of Brighton & Hove City Council.
 - The application Ref: BH2021/03990 dated 10 November 2021, was refused by notice dated 13 January 2022.
 - The development proposed is creation of larger dormer to rear elevation by joining two existing smaller dormers.
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Decision

1. The appeal is allowed and planning permission is granted for creation of larger dormer to rear elevation by joining two existing smaller dormers at 106 Springfield Road, Brighton BN1 6DE in accordance with the terms of the application, Ref: BH2021/03990 dated 10 November 2021, 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 2777-00; 2777-01; 2777-02; 2777-03; 2777-04 and 2777-05.

Preliminary Matters

2. I have taken into account that the Brighton & Hove City Plan Part 2 is now at a very advanced stage of preparation, although not yet adopted, and I have therefore given significant weight to its policies. Draft Policy DM21 relating to Extensions and Alterations largely carries forward the criteria set out under Policy QD14 of the Local Plan and I have taken both the existing and proposed replacement policy into account in my consideration of the appeal before me.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and of the Preston Park Conservation Area.

Reasons

4. The appeal property is a terraced dwelling on the south side of Springfield Road within a predominantly residential area and within the Preston Park Conservation Area. The significance of the Conservation Area relates to the attractive area of Victorian dwellings and villas, which despite subsequent alterations, retains its cohesive character and appearance.
5. The property, as existing, has two individual dormers on the rear roof slope and the proposal would link the two dormers to create a wider dormer. Although the resultant dormer would be wider and therefore more substantial it would be set well in from the sides of the roof and set down from the roof ridge and away from the eaves. It would therefore remain a subordinate and not an overly dominant addition to the roof form. It would remain a modest projection from the roof slope. The infilling would not be overly wide in relation to the scale and form of the main roof and would be tile hung to match the existing roofing materials. The windows would remain in their existing position which relate well to the windows on the lower floors.
6. For these reasons, I am satisfied that the proposed extension would respect and would therefore not detract from the character and appearance of the existing building including its roof form or the terrace in which it is situated. It would also not therefore harm the significance of but would preserve the character and appearance of the Preston Park Conservation Area. There would be no conflict with Policies QD14 and HE6 of the Brighton & Hove Local Plan, Policy CP15 of the City Plan Part 1, draft Policy DM21 of City Plan Part 2, SPD12 Design Guide for Extensions and Alterations and the National Planning Policy Framework and in particular Sections 12 and 16, all of which seek a high quality of design which respects the local context and the significance of designated heritage assets, including Conservation Areas.
7. Although not forming part of the refusal, both the Appellant and the Council have also referred to draft Policy DM26 of the City Plan Part 2 which sets out the considerations relating to development in Conservation Areas. It does not in my view materially change the approach from the existing adopted policies, and I am satisfied that there would be no conflict with this policy.
8. The Appellant and the Council have referred to other examples of roof dormers in the local area, but each proposal must be assessed on its individual merits, as I have done in this case. Furthermore, none of the other examples appear to me to be directly comparable with the proposal before me.

Conditions and Conclusion

9. In terms of conditions, materials should match those used on the existing roof and dormer in order to protect the character and appearance of the existing building and Conservation Area. A condition should be imposed to list the approved plans for the avoidance of doubt and in the interests of proper planning.
10. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR