

Appeal Decision

Site visit made on 22 September 2022

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022.

Appeal Ref: APP/Q1445/D/22/3302478
34 Canning Street, Brighton BN2 0EF

- 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 & Ms Karl & Keeley Anderson & Bees against the decision of Brighton & Hove City Council.
 - The application Ref BH2022/00998, dated 23 March 2022, was refused by notice dated 18 May 2022.
 - The development proposed is the erection of rear dormer and 1no. conservation style rooflight to front roofslope.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and locality.

Reasons

Character and appearance

3. The appeal property is a two-storey mid terrace dwelling. It has attractive elevations with a simple roof form. This property along with others locally in this area of established residential character come together to form part of a neighbourhood of very pleasing appearance and a strong sense of heritage. The appeal scheme is as described above.
 4. The site lies within the College Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected within Saved Policy HE6 of the Brighton and Hove Local Plan (LP) which also includes a range of relevant design criteria for proposals within Conservation Areas. Similarly, the thrust of S72(1) is, amongst other matters, included in Policy CP15 of the City Plan Part One (CP). At the same time Policy DM26 in the emerging City Plan Part Two (CP2) carries weight and also follows the lead of S72(1).
 5. In the circumstances of heritage assets, it is important to respect the scale, proportions, shape and form of roofs within a locality as a whole when considering change. Whilst there is some evidence of architectural detailing and of dormers, for the most part the roofs in this Conservation Area play a simple and subsidiary role to the elevations of the dwellings. The addition of
-

this dormer with its box-like style, excessive bulky size, position on the roof with almost complete coverage of the roof slope, and relationship to fenestration below would unduly detract from this quality. It would be visible from a number of households and part of Walpole Terrace and would patently be seen as a non-original, incompatible and obtrusive accoutrement to this dwelling and on this terrace. There would be incongruity in design and marked change to the roof. It would lead to a visually unfortunate rear elevation. I recognise that there would be limited public views but nevertheless good design should be embodied in all development and particularly so in a Conservation Area.

6. Given all these circumstances and the nature of the scheme I conclude that the proposal would run contrary to the aims of S72(1) of the Act and conflict with LP Saved Policy HE6, CP Policy CP15 and CP2 Policy DM26. At the same time, I conclude that the appeal scheme would not accord with LP Saved Policy QD14, CP Policy CP12, and CP2 Policy DM21 which taken together and amongst other matters call for roof alterations and extensions to be well designed, take account of the character and visual quality of an area, and generally have architectural merit.

Other matters

7. I do understand the Appellants' wish to increase accommodation within the property against the background of changing circumstances. I can see that thought has been given to colours and types of material. I have carefully considered the other examples of dormers drawn to my attention. Some, including the most proximate, are not of a design quality that should set a benchmark. Few make a positive contribution to the scene and they are not of such frequency that they have become a characteristic feature in the area. In any event, across the range drawn to my attention there is variance from the appeal proposal in terms of styles, sizes, positions, or previously applicable planning policies and regimes and I have to assess the present scheme on its own merits.
8. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
9. Regrettably I reach the view that this dormer would create a rear elevation which would be visually awkward in this context and would not qualify as good design and hence I could not condone the scheme. I should add that I note and agree with the Council's neutral stance on the proposed roof light.
10. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellants, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the host property and the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR