

Appeal Decision

Site visit made on 17 November 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/Q1445/D/22/3306018
9 Elm Road, Portslade, BN41 1SA

- 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 Mrs F Latham against the decision of Brighton & Hove City Council.
 - The application Ref BH2022/01296, dated 14 April 2022, was refused by notice dated 9 June 2022.
 - The development proposed is the erection of a rear dormer onto outrigger roofslope incorporating 2no rear rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I use the Council's description of development which is more precise than the application form; I note that the Appellant also uses this on the appeal form.

Main Issue

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

Reasons

Character and appearance

4. The appeal property is a two-storey mid terraced home of traditional design with a lower roofed semi-detached outrigger to the rear, this symmetry being something which is a local feature of many homes. The appeal dwelling, in contrast to most, but not all, locally, has a box dormer on the main rear roof slope. This area is of established residential character and generally simple terraced form and the properties, streets and spaces come together in pleasing appearance. The proposal is as described above.
 5. The original form of the roof has already been compromised by the substantial rear dormer and the proposal would take this to another degree. Unfortunately, the planned further dormer would occupy too large a percentage of the rear roof of the appeal property, create an alien 'L' shape and detract from the agreeable simple symmetrical form of the outrigger in particular. Additions at the upper levels would become unduly dominant, top heavy, have the characteristics of excessive dimensions in all directions, be poorly positioned relative to the eaves, and display somewhat random glazing. The scheme would be incongruous and I simply cannot agree with the Appellant that this would represent good quality design or be architecturally appropriate.
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I accept that visibility would be limited and, excepting temporary views from Shelldale Road prior to gap-site development, be largely from private properties, but this is not a reason for condoning poor design.

6. Policies QD14 of the Brighton and Hove Local Plan, CP12 of the City Plan Part One and DM21 of the City Plan Part Two are relevant. Taken together and amongst other matters, these policies seek well designed and suitably scaled development that should protect the character and visual quality of buildings and the local distinctiveness of their wider area and generally have architectural merit. In all the circumstances I conclude that the appeal scheme would conflict with these planning policies.

Other matters

7. I do understand the Appellant's wish to improve internal space and I recognise that thought has been given to materials. I appreciate that this appeal scheme is a reduced scale version of a previous proposal and the Appellant was seeking to work with the Council. I note the Appellant's arguments about subservience and proportionality but regrettably we differ on that analysis. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
8. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

9. 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