

Appeal Decision

Site visit made on 18 January 2023

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

an Inspector appointed by the Secretary of State

Decision date: 6 March 2023

Appeal Ref: APP/APP/Q1445/D/22/3312125

2 Belfast Street, Hove BN3 3YS

- 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 Michael Orchin against the decision of Brighton and Hove City Council.
 - The application, Ref. BH2022/02800, dated 5 September 2022 was refused by notice dated 21 November 2022.
 - The development proposed is roof alterations to include rear dormer, 1 No. rooflight to front window at first floor level, extension to rear outrigger and revised fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for roof alterations to include rear dormer, 1 No. rooflight to front window at first floor level, extension to rear outrigger and revised fenestration at 2 Belfast Street, Hove BN3 3YS in accordance with the terms of the application, Ref. BH2022/02800 dated 5 September 2022 and subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building;
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 001 & 004 Rev. A.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the host dwelling and the street scene, and (ii) the effect on the living conditions of adjoining occupiers as regards outlook, privacy and light.

Reasons

3. On the first issue the Council's concern is that the extension to the outrigger would be a dominant and incongruous feature that would be highly visible in the street scene. As such, it would be harmful to the host building and its surroundings.
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4. I acknowledge that with its corner position the rear elevation and curtilage of the appeal property is easily seen in the public realm. However, it is seen in the context of the adjoining four properties with their dormers and outriggers. This view includes a variety of roof forms including the flat roofs of the dormers; the full roof plane of a couple of nearby houses that have not had a roof extension; the overall dual pitch of a paired outrigger of two nearby properties and the mono pitch of the outrigger to No.2 itself.
5. In the light of this miscellany of extensions and roof slopes with an absence of any design coherence, I do not consider that the proposed increase in the height and altered roof slope of the outrigger at No. 2 would draw the eye as a harmful addition to the building or be perceived as visually obtrusive in the street scene. The officer's report refers to a 'dominant' roof addition, but the submitted plans show that it is the approved dormer with its flat roof stretching from back to front at a slightly higher level than the apex of the original roof that is arguably the more dominant element.
6. I acknowledge that the extension adds to the built form in a way that in part would read with the rear dormer. However, with its eaves not significantly above those of the main roof and its rear wall fenestration much improved on that of the existing, I consider that the addition would be subordinate to the existing building and of some design merit. Furthermore, the grounds of appeal include similar additions to corner properties in Hove and these indicate that the appeal scheme would not be out of character with the local townscape.
7. On this issue I conclude that the proposal would not have a harmful effect on the character and appearance of the host dwelling and the street scene and accordingly would not conflict with Policy CP12 of the City Plan Part One; Policy DM21 of the City Plan Part Two, and Section 12: 'Achieving Well-Designed Places' of Government policy in the National Planning Policy Framework 2021 ('the Framework').
8. Turning to the second issue, the Council takes the view that the living conditions of the occupiers of No. 4 Belfast Street would be harmed in terms of outlook, privacy and light. As regards outlook the addition is within the same footprint as the existing outrigger and with a relatively modest increase in height and a roof sloping away this would limit the perception of enclosure.
9. In terms of shadowing, the orientation of the building is such that the sun will be at its highest point in the sky when affecting the longer south elevation and the majority of the site will continue to benefit from the afternoon and evening sun. In relation to privacy, no windows are proposed in the flanks of the building and the rear windows would not overlook the neighbouring property. In addition the full height window already approved in the dormer will have its width halved in the appeal proposal.
10. On this issue I conclude that there would not be an unacceptably adverse effect on the living conditions for neighbouring occupiers and therefore no conflict with Policy DM20 of the City Plan Part Two and paragraph 130f) of the Framework.
11. I shall therefore allow the appeal. A condition requiring matching external materials will preserve visual amenity and a condition requiring the development to be carried out in accordance with the approved plans is needed for certainty and is in the interests of proper planning.

Martin Andrews

INSPECTOR