



Appeal Decision

Site visit made on 9 August 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2023

Appeal Ref: APP/Q1445/D/23/3321907

28 Hythe Road, Brighton and Hove, Brighton, BN1 6JS

- 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 and Mrs M Jeffery against the decision of Brighton and Hove City Council.
 - The application Ref BH2023/00658 dated 3 March 2023, was refused by notice dated 27 April 2023.
 - The development proposed is new front and rear dormer windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of i) the proposed front dormer on the front roof slope of the host property, group value of the three terraced houses and the streetscene and ii) the proposed rear dormer on the rear roof slopes of the three terraced houses.

Reasons

Proposed front dormer

3. The appeal site is a two-storey mid-terraced dwelling located on the southern side of Hythe Road where it is acknowledged that the road, as a whole, is characterised by a mix of detached, semi-detached, and terraced houses, which are in turn, a mix of Victorian terraced houses as well as more modern properties that are built in close proximity to each other. Some properties, such as 76 Hythe Road, have individual identities and there is a variety and individuality of properties within the street. Despite this, in this case, I am mindful that appeal site is part of a row of three (numbers 30, 28 and 26) where all three dwellings are consistent in materials (grey slate roof and white sash windows) as well as having design features which create uniformity within their row. The consistency between the three dwellings I find means that they are visually notable within the streetscene.
4. At the time of my site visit, I walked down much of the length of Hythe Road and noted that there are many examples of front dormers within the area which means they are characteristic for the area and contribute to the appearance of the streetscene. The addition of a dormer to the front of the properties in this area is noted to be generally acceptable in principle, however, on this occasion I do not find that a dormer to the front roof slope would be appropriate given the siting and appearance of the host dwelling itself or the

terraced row as a whole. The appeal property and the row of terraces within which it stands have two storey projections with hipped roofs which contribute to floor area as part of the family room and a bedroom. These features are uniform across the front elevations of the row of three and appear to be a nod to design features seen on the front of dwellings within the row to the west (where I would note there are no dormers comparatively to the rest of the streetscene). The appeal proposal would result in a front dormer, matching the width of this projection and roof feature, being constructed directly above the hipped roof within the roof slope.

5. The interaction between the existing roof form, and the proposed front dormer, would appear bulky and awkward and an uncharacteristic interaction on the front roof slope for both the host property, row of three terraces, and the wider streetscene. There are no other examples, that I saw, of front dormers being sited on top of a hipped roof to the front elevation and I find that it would be a visually incongruous addition to the front roof slope. The closest example would be that of 80 Hythe Road, but this still does not result in a dormer on top of a hipped roof feature. The combination of the hipped roof with the proposed front dormer would dominate the roofscape and would make the overall roofscape appear top-heavy to the detriment of the host dwelling itself.
6. The proposed materials, which would include black aluminium sliding windows and anthracite zinc coated aluminium cladding, would make the rear dormer appear as a contrast to the existing roof which is grey slate. In addition to this, there would be further contrast with the existing white sash windows. I do not find that the proposed materials complement the host building. The Supplementary Planning Document 12 (SPD) (design guide for extensions and alterations) guidance is clear that there is an expectation for dormer cladding and windows to match the materials of the existing property. I acknowledge that the SPD is general guidance across the city, but I consider, taking into account the particular circumstances of this case, that there is a requirement to respect the balance of the roofscape as a result of the uniformity of the row of dwellings in question. In this case the use of such materials to introduce an entirely new feature would further visually emphasise the incompatibility I have identified arising from the proposed front dormer and its interaction with the existing hipped roof feature.
7. Overall, I find that from my site visit, the appeal site stands in a row of three dwellings which are more modern in appearance and do already stand out in terms of design and uniform appearance. The proposed front dormer would have a significantly detrimental impact upon that existing uniform appearance mainly as a result of location on top of a hipped roof feature. There are no other examples of front dormers located in such a manner which I find would result in an unsympathetic and incongruous feature within the streetscene.
8. The proposal would be contrary to Brighton and Hove City Plan Part 1 2016 (LP1) Policy CP12 which requires that new development respects the diverse character and urban grain of the city's identified neighbourhoods and Brighton and Hove City Plan Part 2 2022 (LP2) Policy DM21 which requires that extensions and alterations are well designed and scaled, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area as well as taking account of the existing character of the area. The proposal would also be contrary to guidance contained within the SPD which confirms that dormer windows will not be permitted on front roof

slopes where they would unbalance the building or disrupt the continuity of a terrace or group.

Proposed rear dormer

9. The proposed rear dormer seeks to replace an existing rear dormer with one that is larger in terms of width with some limited increase in height. I find that it is of importance that the proposed dormer is to be set back from the eaves by the same distance as the existing dormer, which would enable it to maintain some consistency with the dwellings immediately either side. I find the larger dormer would be positioned between two narrower examples on 26 and 30 Hythe Road respectively which would maintain symmetry in terms of the appearance of the rear roof slopes of the three dwellings.
10. Rear dormers are a strong characteristic of the area and, in this case, increasing the size of an existing dormer feature whilst still respecting setbacks and proportions of the properties either side means that I find the proposal would be appropriate in principle overall. The rear dormer would be limited in public views with main views of the proposal being from private properties, which limits the impacts of the proposal upon the appearance of the area and any private views of the proposal would likely be within the wider context of the site and general presence of rear dormers in the vicinity. In contrast to my findings regarding the front dormer, I do not find, in this case, that the proposal would result in an awkward interaction with the existing design features of the host property.
11. I find that the principle of an enlarged dormer, as submitted, would be acceptable in terms of scale, but I do find (as outlined above in relation to the proposed front dormer) that the proposed materials would make the rear dormer appear as a too strong a contrast to the existing roof and windows regardless of more limited public views. I find that that the guidance in the SPD should be followed to enable the proposed increase in the size of the existing rear dormer without being of a bulky appearance due to the heavily cladded materials and finish proposed which would draw attention as a result of contrast. To conclude, I find that the overall increase in width, and small increase in height, of the dormer to replace the existing dormer would be acceptable in principle, but that the choice of materials should be more sensitively selected to match those of the host building and roofscape of the three terraced house group.
12. The proposal would be contrary to LP1 Policy CP1 which requires that new development respects the diverse character and urban grain of the city's identified neighbourhoods and LP2 Policy DM 21 which requires that extensions and alterations are well designed and detailed in relation to the property to be extended, adjoining properties and the surrounding area. The proposal would also be contrary to the guidance contained within the SPD which confirms that materials should generally match those of the existing roof with one of the overarching objectives of the SPD¹² being to prevent significantly harmful impact on the appearance of the property.

Other Matters

13. Had I found the proposal acceptable in other regards, with regards to the proposed front dormer, different materials could have been secured by condition to ensure an appropriate finish, taking into account the existing

materials at the appeal site. In this case, however, the appeal would still fail in the presence of such a condition due to the incompatibility I have identified arising from the proposed front dormer and its interaction with the existing hipped roof feature to the front elevation.

14. I note that it is contended that dark grey zinc sheets are already present at 76 Hythe Road, however, this appears to be an isolated example which is not realistically within the same field of vision as the appeal site before me, being some distance down the road. The Inspector, within appeal decision APP/Q1445/D/16/3161026 specifically acknowledged that some of the materials proposed within that appeal proposal would not reflect those on other properties in the street and it would result in an individual appearance to the property in question. 76 Hythe Road is and was, by comparison, an individual/unique property. This is a direct contrast to the facts of the appeal site before me which forms part of a uniform row of three dwellings with shared design features and consistent materials.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR