



## Appeal Decision

Site visit made on 4 December 2018

by **Tim Crouch MSc DipUD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 08 January 2019

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**Appeal Ref: APP/Q1445/D/18/3213728**

**23 Park Street, Brighton, BN2 0BS**

- 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 Trevor and Sophie Morris against the decision of Brighton & Hove City Council.
  - The application Ref BH2018/01042, dated 3 April 2018, was refused by notice dated 24 August 2018.
  - The development proposed is a dormer to be added to rear elevation of property to loft/third floor level to create loft storage.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and wider Conservation Area.

### Reasons

3. No 23 Park Street is a mid-terrace 3 storey property located within Queens Park Conservation Area. In the exercising of planning functions the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
4. The Conservation Area covers a mainly residential area predominantly consisting of early Victorian and Edwardian detached, semi-detached and terraced housing. The architecture of the houses reflects the era in which they were built and has resulted in a high quality built environment. The significance of the Conservation Area is therefore architectural and historical.
5. The proposed development is the erection of a rear dormer window. The proposed dormer window would be aligned with window openings on lower floors, set within the roof away from the eaves and side of the roof slope. However, the proposed size, scale and flat roof design close to the ridge would result in a dominant addition to the roof slope to the detriment of the character and appearance of the host property. The horizontal emphasis of the largest of the two dormer window glazing panels would also be out of keeping with the vertical emphasis of the windows below.

6. There are no such significant rear roof alterations within this area of the terrace. This contributes to a length of characterful, plain, uncluttered roof slopes along the buildings. There are limited public views of the rear roof slopes. However, they are visible in the circulation space and garden areas of Park Street and Tillstone Street. Although these are private views this would not diminish the harm that would occur. Due to the size, scale and design, the proposal would not preserve the character or appearance of the Conservation Area and so would fail the statutory test. Whilst the harm to the Conservation Area as a whole and its significance would be less than substantial, there would be no public benefits to outweigh that harm.
7. Consequently, the proposal is contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and contrary to the supplementary planning document 'design guide for extensions and alterations' (SPD). These policies and SPD seek to ensure, amongst other objectives, that roof extensions are well designed, sited and detailed in relation to the host property, and that they preserve or enhance the character or appearance of the area, including showing no harmful impact on its roofscape.
8. My attention has been drawn to other properties in the locality where rear dormers are present. I understand that these properties are also located within the Conservation Area. However, I saw that these are often grouped and seen in a different local context rather than representing a distinct feature of the wider Conservation Area in relation to the appeal. Also, I do not have full details that led to these proposals being accepted. In any case, I have determined the appeal on its own merits.

### **Conclusion**

9. For the reasons given above and, having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Tim Crouch*

INSPECTOR