



Appeal Decision

Site visit made on 2 April 2009

by **C J Leigh BSc(Hons) MPhil(Dist) MRTPI**

**an Inspector appointed by the Secretary of State
for Communities and Local Government**

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

**Decision date:
20 April 2009**

Appeal Ref: **APP/Q1445/A/08/2093094**

40 Princes Road, Brighton, BN2 3RH

- 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 & Mrs Beechey against the decision of Brighton & Hove City Council.
- The application Ref. BH2007/04164 was dated 7 November 2007 and was refused by notice dated 10 July 2008.
- The development proposed is the removal of existing ground and first floor bay window and replacement to match original style.

Decision

1. I dismiss the appeal.

Reasons

2. The existing bay windows in the front elevation of the property have a negative impact upon the character and appearance of the Round Hill Conservation Area. Their replacement with windows of a more sensitive design is likely to lead to an enhancement of the Area. However, I noted that there is variety in the design and form of original windows in the surrounding area, and that some of this variety is quite subtle. The information accompanying the application made to the Council showed cross-sections through frames and standard mouldings, and a photograph of an adjoining property. However, no precise details were provided of the elevation of the new windows, nor the extent that the existing bay and windows would be altered to facilitate the provision of the new windows; the existing window surrounds and corbelling at No. 40 differ from the bay shown in the submitted photograph of the adjoining property, and so no details exist to demonstrate what specific changes might be undertaken to the bays. The absence of such information was a specific concern of the Council's Conservation and Design Team at the application stage.
3. It is most unfortunate that the Council refused the application on the basis of this deficient information – some months after the statutory period for determination – rather than request this further information, particularly since they had previously accepted the application as valid. However, I must base my decision on the information before me, which similarly still does not include these details which I consider are necessary to ensure that the proposed development is appropriate to the character and appearance of the Conservation Area; no additional drawings or information were submitted at the appeal stage. Thus, whilst I appreciate the appellants' frustrations, I must conclude that, on the basis of the information before me, I am not reassured

that Policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan 2005 would be satisfied, which seek a high quality of design in all new developments and within conservation areas. I have therefore dismissed the appeal accordingly.

C J Leigh
INSPECTOR