



Appeal Decision

Site visit made on 21 April 2008

by **J O Head** BSc(Econ) DipTP 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.gsl.gov.uk

Decision date:
30 April 2008

Appeal Ref: APP/Q1445/A/08/2063105

Flat 6 Grove Court, 37 The Drive, Hove, East Sussex BN3 3JG

- 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 H Law against the decision of Brighton & Hove City Council.
- The application Ref BH2007/01156, dated 21 March 2007, was refused by notice dated 11 June 2007.
- The development proposed is replacement of steel framed windows by UPVC framed windows.

Decision

1. **I allow the appeal**, and grant planning permission for replacement of steel framed windows by UPVC framed windows at Flat 6 Grove Court, 37 The Drive, Hove in accordance with the terms of the application, Ref BH2007/01156, dated 21 March 2007, and the plans submitted with it, subject to the condition that the development hereby permitted shall begin not later than three years from the date of this decision.

Main issue

2. The site is within the Willett Estate Conservation Area rather than "The Avenue Conservation Area" as referred to in the Council's reason for refusal. The main issue is whether the proposed alterations to the windows would preserve or enhance the character or appearance of the Willett Estate Conservation Area.

Reasons

3. Grove Court is a 10-storey early 1960s block of flats near to the junction of The Drive with Eaton Road. In common with some other blocks in the vicinity, it does not reflect the features referred to in the Conservation Area Character Statement as important to the character of the area, which derives mainly from its large Victorian houses. In my view, the building is undistinguished architecturally and out of scale with its wider surroundings. Nevertheless, that cannot justify alterations that would cause noticeable harm to its appearance, as by doing so they would fail to preserve the character and appearance of the conservation area.
4. I saw that a significant number of the original windows at Grove Court have already been replaced with what appear to be UPVC (PVCu) units. According to

the information supplied by the Council some of these replacements have planning permission and others do not. The use of PVCu requires frames much thicker than those of steel windows, in order to provide sufficient strength and stability, and none of the replacements, including those which have planning permission, is properly able to replicate the original 1960s glazing bar pattern. In particular, the proportion of plastic to glazing that is necessary to create the small opening transom lights of the original design makes these look rather clumsy and inappropriate when executed in PVCu.

5. The appeal proposal adapts the original glazing pattern to avoid small opening lights, which partly overcomes this difficulty. The subdivision of the larger windows by vertical mullions, which remains more or less continuous throughout the height of the block, would be maintained by the proposals and the subdivision of the lower part of the windows, whilst not replicating the glazing bar pattern, would reflect the proportions of the originals. I consider that the proposals would be sufficiently well designed and detailed for their context and that the materials to be used would be sympathetic to the parent building as it currently exists. The relevant provisions of Policy QD14 of the Brighton & Hove Local Plan would therefore be complied with.
6. Bearing in mind the extent of alteration that has already taken place to windows at the block and the position of Flat 6 so that most of its windows can only be seen from the rear and do not impact significantly on the street scene in The Drive or Eaton Road, I consider that the visual impact of the proposed alterations would be minimal and would be largely unnoticed by a casual observer. They would cause no material harm to the appearance of the block. There would, in my judgment, be no conflict with the requirements of Local Plan Policy HE6 and I conclude that the character and appearance of the Willett Estate Conservation Area would be preserved.

John Head

INSPECTOR