



---

# Appeal Decision

Site visit made on 30 August 2011

**by Elizabeth Fieldhouse DipTP DipUD MRTPI**

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

**Decision date: 2 September 2011**

---

**Appeal Ref: APP/Q1445/D/11/2156725**  
**139 Shirley Drive, Hove BN3 6UJ**

- 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 David Vaughan against the decision of Brighton & Hove City Council.
  - The application Ref BH2011/01277, dated 3 May 2011, was refused by notice dated 24 June 2011.
  - The development proposed is 'front porch and dormer (resubmission of BH/2011/00466)'.
- 

## Decision

1. The appeal is dismissed insofar as it relates to the front dormer. The appeal is allowed insofar as it relates to the front porch and planning permission is granted for the front porch at 139 Shirley Drive, Hove BN3 6UJ in accordance with the terms of the application, Ref BH2011/01277, dated 3 May 2011, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with approved plan no. 477/05.

## Main Issue

2. The effect of the proposed development on the character and appearance of the dwelling and thereby the street scene.

## Reasons

3. The appeal property is a one of a pair of detached bungalows in an area of mixed development of detached houses and bungalows with, generally, no uniformity of design. The neighbouring bungalow has the benefit of a similar front dormer window, porch and roof lights to the proposal. They were granted planning permission in the mid 1980's.
4. The proposed dormer extension would project from the existing ridge and have a hipped pitched roof that would be reflected in the roof of the proposed porch. The dormer window would be wider than the proposed porch over which it

would be sited and thereby fail to accord with the Council's Supplementary Planning Guidance SPGBH note 1 *Roof Alterations & Extensions* (SPG). It requires dormer windows to be kept small and no wider than the window below. By reason of its design and scale, particularly its width, the proposed dormer extension would not appear subservient but overly bulky and harmful to the appearance of the bungalow. Thereby the dormer extension would fail to accord with policy QD14 of the Brighton & Hove Local Plan 2005 (LP) and the SPG.

5. The proposed front porch would infill between the existing hip roofed bay windows. It would project just over 1m from the dwelling and extend slightly in front of the bay windows. Nevertheless, the proposed hipped roof would have a lower ridge than those to the bay windows and by reason of its scale and height would appear subservient to the bay window elements. In the absence of a dormer extension, the proposed porch together with the bay windows would not give a cluttered or harmful appearance to the dwelling or the street scene. In this respect the provisions of LP policy QD14 would be met. The front porch could be permitted in isolation from the remainder of the proposal.
6. Overall, by reason of its width and scale, the proposed front dormer window would give the front elevation a top heavy appearance. The front dormer extension, together with the proposed porch, would result in the dwelling having a cluttered appearance. This would harm the character and appearance of the building and thereby be detrimental to the street scene. In totality the proposal would not accord with LP policy QD14 or the SPG.
7. The front dormer extension and porch to the neighbouring bungalow do not justify the proposal but demonstrate the effect of the proposal on the appearance of the bungalow. Added to which that proposal was considered under the provisions of earlier development plan policies. In view of the mix of development in the area, it is not necessary for the extensions of two dwellings to reflect each other to be compatible with the area.
8. In respect of the front porch, I have considered whether conditions are necessary in the light of the advice in Circular 11/95. In the interests of the visual amenities, external materials should match those existing. For the avoidance of doubt and in the interests of proper planning, the approved plan should be identified.

*Elizabeth Fieldhouse*

INSPECTOR