



Appeal Decision

Site visit made on 24 June 2013

by C Tokley MRTPI

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

Decision date: 1 July 2013

Appeal Ref: APP/Q1445/D/13/2196015
6 Cornwall Gardens, Brighton, BN1 6RJ

- 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 J Blackmore against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00055 was refused by notice dated 11 March 2013.
 - The development proposed is the erection of a single storey porch at the front of property.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and Preston Park Conservation Area (CA).

Reasons

3. The CA is a residential area lying to the north and east of Preston Park. Cornwall Gardens is close to its northern boundary and comprises a range of semi-detached and individually-designed detached dwellings. The land rises across the road from west to east and the houses on the west side (including No 6) are set down from road level whereas those to the east including three handsome pairs of semi-detached dwellings are elevated.
4. The appeal property lacks the elaborate fenestration and timber features of those pairs and has a much more restrained appearance. However it is a well-proportioned building with some unusual original detailing. Of particular note is the partly-jettied first floor supported by a timber beam which covers a splayed front entrance area with a circular window and a pointed-arch front door. Whilst these details are not specifically referred to in the CA appraisal they are part of a building that makes an important contribution to the character of the heritage asset (the CA).
5. The proposed porch would extend forward of the main range of the house alongside the gabled forward-projection. The pitched front and side roof planes would extend up to a flat roofed section resulting in a semi-hipped roof that would not be in keeping with the gabled roofs at the front of the dwelling. As a result of the reduced level of the site as compared with the road the uncharacteristic flat roof would be clearly apparent when seen from the street.

6. As a result of its height and bulk the porch would compete with and detract from the clearly-defined ranges of the dwelling. It would result in the loss of the original entrance area and reduce the width of the jetty. Whilst the proposal attempts to replicate the front-facing elevation of the entrance area the oblique view from the street across the open front garden would bear little resemblance to the current entrance.
7. A note on the drawing indicates that the original door would be re-used but this is depicted as a semi-circular headed door in contrast with the "Gothic" pointed arch of the existing door. In my view within the context of the projecting porch either approach would appear incongruous. The appellant indicates that the design approach reflects the advice in the Council's Supplementary Planning Document (SPD); however the Council points out that the Draft SPD has not been adopted by the Council and I therefore give it limited weight.
8. I consider that the proposal would not respect the form of the dwelling and would unacceptably detract from the character and appearance of both the house and the CA. It would therefore conflict with "saved" Policies QD14 and HE6 of the *Brighton and Hove Local Plan (LP)* which indicate that development within CAs should be well designed and should preserve or enhance the character or appearance of the CA. Whilst the LP pre-dates the National Planning Policy Framework the objectives of those policies are consistent with those of the Framework and I therefore give them substantial weight.

Conclusion

9. Taking account of all matters I conclude that the proposal would be harmful to the character and appearance of the host building and would fail at least to preserve the character or appearance of the Preston Park Conservation Area. With reference to part 12 of the Framework I consider that the harm to the CA resulting from the proposal would be less than substantial; however there are no public benefits that weigh in favour of the proposal that are sufficient to justify the grant of permission.
10. The appeal is therefore dismissed.

Clive Tokley

INSPECTOR