



Appeal Decision

Site visit made on 5 January 2011

by Simon Miles BA(Hons) MSC MRTPI

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

Decision date: 10 January 2011

Appeal Ref: APP/Q1445/D/10/2141071
106 Woodland Drive, Hove, East Sussex BN3 6DE

- 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 Phil Moore against the decision of Brighton and Hove City Council.
 - The application Ref BH2010/02174, dated 13 July 2010, was refused by notice dated 18 October 2010.
 - The development proposed is construction of new single dormer window to rear elevation.
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Decision

1. I dismiss the appeal.

Procedural Matter

2. The development, as described above, has already been carried out and I have considered the appeal accordingly.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the Woodland Drive Conservation Area.

Reasons

4. The appeal relates to a detached dwelling of moderate size fronting onto Woodland Drive and lying within the Woodland Drive Conservation Area. The conservation area derives much of its special character from its fine stock of mock Tudor style dwellings. The traditional pitched roofs, timbered gables and mock Tudor detailing of these buildings give the area a cohesive architectural form. The dwellings also enjoy a pleasant landscaped suburban setting by virtue of the generously sized front gardens. These qualities combine to create a most attractive and locally distinctive character.
 5. It is argued for the appellant that the appeal dwelling is of post-war construction and lacks the quality and detailing of some of the other buildings in the conservation area. However, whilst I accept the broad thrust of this argument, the traditional pitched roof form and modest proportions of the appeal dwelling nevertheless ensure that it blends unobtrusively into its surroundings.
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6. I am therefore concerned that the rear dormer, by virtue of its size, width, bulk and box-like appearance, dominates the rear elevation and overwhelms the simple form and modest proportions of the original building. The full-height double doors within the dormer relate poorly to the size, shape and arrangement of the other windows, whilst extensive areas of lead cladding do nothing to relieve the crude box-like appearance of the dormer. For these reasons I find the dormer to be an unsympathetic addition to the dwelling and, as such, the development detracts from the character and appearance of the host building.
7. In assessing the effect of this upon the conservation area, I acknowledge that the dormer is largely hidden from the street scene. However, the corner of the dormer can be seen from the road when approached from the south and looking between the gaps between the dwellings. The development is also visible from the rear windows and rear gardens of neighbouring properties. As a consequence of this, and even though the development is not prominent in the street scene, it nevertheless has a detrimental effect on the character and appearance of the conservation area, its architectural quality and integrity.
8. I cannot therefore avoid the conclusion that the development fails to preserve the character and appearance of the Woodland Drive Conservation Area. It follows that saved Policies QD1 and QD14 of the adopted Brighton and Hove Local Plan 2005 and the Council's adopted Supplementary Planning Guidance Note 1: Roof Alterations and Extensions are not satisfied, insofar as these policies and guidance seek to ensure that development is well designed and, in the case of extensions, well related and sympathetic to the parent building and not over-dominant.
9. In other respects, I note that the appellant carried out the development believing it to be permitted development and, furthermore, that discussions with the local authority did not uncover the fact that the property is within a conservation area, where permitted development rights are more restricted. However, whilst I sympathise with the appellant's circumstances, this consideration is not sufficient to outweigh the harm that I have identified above, which is significant and over-riding. I take this view particularly because I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Therefore, for the reasons given, the appeal does not succeed.

Simon Miles

INSPECTOR