



Appeal Decision

Site visit made on 4 November 2008

by **John Papworth** DipArch(Glos) RIBA

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

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Decision date:
7 November 2008

Appeal Ref: APP/Q1445/A/08/2078029 Flat 5, 4 St Aubyns Gardens, Hove BN3 2TA

- 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 Joe Whiting against the decision of Brighton & Hove City Council.
- The application Ref BH2008/00582, dated 7 February 2008, was refused by notice dated 1 May 2008.
- The development proposed is described as replacement of 2 sets of bay doors and a window with pvc storm proof equivalent. Fitting of cavity trays underneath the doors to prevent water leaking in and falling through ceiling of the flat below.

Decision

1. I dismiss the appeal.

Reasons

2. The property is within the Old Hove Conservation Area and the main issue is the effect of the proposal on the character and appearance of the area. The description of the proposal and the photographs supplied relate to 2 sets of doors and a window to the front elevation. The layout of the existing doors and windows is not appropriate to the age and design of the building and causes harm, in my opinion, to the character and appearance of the conservation area. As a result their replacement with a more appropriate design and layout of openings would be a welcome change to the building and would have benefit to the character and appearance of the wider area.
3. However, the proposed replacements are of the same design and layout, which I consider unfortunate and a proposal that would continue the harm that is presently caused. Furthermore, the choice of PVCu material would not generally be acceptable in a conservation area under the provisions of Local Plan Policies HE6 and QD14. Notwithstanding the height of these proposals above the ground, such use of material would not be justified in this case due to the inappropriate design and layout of the frames and opening arrangements. I have read the appellant's further justification regarding water ingress, noise and dust, but am not persuaded that these aims could not be achieved by other, more acceptable means. For the reasons given above I conclude that the appeal should be dismissed.

S J Papworth

INSPECTOR

