

Appeal Decision

Site visit made on 11 February 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2020

Appeal Ref: APP/Q1445/D/19/3241974

41 Wilfrid Road, Hove BN3 7FJ

- 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 Gardner against the decision of Brighton & Hove City Council.
 - The application Ref BH2019/02091, dated 12 July 2019, was refused by notice dated 31 October 2019.
 - The development proposed is the construction of an external blockwork/render front porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Substantial progress has been made towards the completion of the porch that is the subject of this appeal. However, the appellant's submissions indicate that the development is not complete as it is yet to be painted. I have therefore determined this appeal on the basis that the porch is not complete but is largely in place.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the existing building and the surrounding area.

Reasons

4. The site is located within a residential area that features dwellings of uniform scale and similar design that are consistently setback from the road, with many having storm porches to the front. These factors create a degree of consistency to the appearance and layout of the built form which contributes positively to the overall residential character of the area.
5. The semi-detached dwelling at the appeal site is alike those of the surrounding area in terms of scale and appearance, with brick external walls. At the front of the dwelling is a porch extension with a flat roof and rendered elevations.
6. The porch represents a large addition that adds a significant element of bulk to the frontage of the dwelling. The flat-roofed design and the size of the porch cause it to relate poorly to the form of the main building and results in it appearing as an ungainly and incongruous addition. The visual effect of the development is exaggerated by the use of materials that contrast with the existing brick elevations, which would continue to be the case even after being

- painted. Therefore, once completed, the porch would cause harm to the character and appearance of the host dwelling.
7. There appears to be no other porches of comparable scale or appearance within the locality and, due to the extent that it projects forward of the aligned dwellings of Wilfrid Road, the completed porch would be a prominent feature of the street. As such, the discordant appearance and size of the porch would cause it to detract from the character and appearance of the locality.
 8. Changing the materials would not resolve all of the harm that has been identified and, therefore, imposing a condition to that effect would not be sufficient to make the development acceptable. Furthermore, the fact that the existing dwelling is not a listed building, is not within a conservation area and is not within an area that is the subject of an Article 4 direction does not alter my assessment of the effect on the character and appearance of the dwelling and the locality.
 9. Paragraph 213 of the National Planning Policy Framework (The Framework) states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It also states that due weight should be given to policies according to the degree that they are consistent with the Framework. Policy QD14 of the Brighton & Hove Local Plan 2005 (BHLP) requires development to be, amongst other things, well designed, sited and detailed in relation to the property and the surrounding area and feature materials that are sympathetic to the parent building. This is generally consistent with those parts of paragraphs 124 and 127 of The Framework which require that development is of good design, adds to the overall quality of the area, is sympathetic to local character and is visually attractive. Therefore, I afford significant weight to policy QD14 of the BHLP.
 10. For the reasons given above, the completed development would have an unacceptable effect on the character and appearance of the existing building and the surrounding area. The development would, therefore, be contrary to those parts of policy QD14 of the BHLP and The Framework that are set out above.

Other Matters

11. It has been suggested that the porch provides shelter from bad weather and improves security at the site, thereby reducing the anxiety of the dwelling's occupiers. It has also been suggested that the porch enhances the thermal performance of the dwelling which brings about energy efficiency benefits and a financial benefit to the appellant. These factors lead the appellant to conclude that the porch represents sustainable development. However, the evidence before me does not indicate that there is a heightened need for security or shelter at this site and the submissions do not quantify the extent to which the porch would reduce heat loss and increase energy efficiency.
12. Paragraph 61 of The Framework states that the needs of different groups in the community should be reflected in planning policies. However, this is primarily in the context of ensuring that the size, type and tenure of housing meets identified needs. Therefore, whilst I acknowledge the abovementioned benefits to the appellant that arise from the construction of the porch, I am also mindful

that Planning Practice Guidance¹ advises that planning is generally concerned with land use in the public interest. As such, given the harm that I have identified, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole, including its presumption in favour of sustainable development.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR

¹ Paragraph: 008 Reference ID: 21b-008-20140306