

Appeal Decision

Site visit made on 29 July 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2019

Appeal Ref: APP/Q1445/W/19/3228849

48 Tisbury Road, Hove BN3 3BB

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr T Lee against the Brighton and Hove City Council.
 - The application Ref BH2019/00569, is dated 25 February 2019, was refused by notice dated 18 April 2019.
 - The development is described as new gas pipes to front façade of building.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the Willet Estate Conservation Area (the Conservation Area).

Reasons

4. In line with the duty imposed on me by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
5. The appeal site comprises a terraced property and the architectural features to benefit the property, and surrounding properties, are large bay windows, decorative cornices, corbels and window trims. These provide for a consistent and very appealing view from the street which contributes to the uniformity of the Conservation Area. The appeal property, and neighbouring property at No.50 differs slightly from the vast majority of the houses along Tisbury Road, particularly to the south, in that the aforementioned architectural features are more intricately decorated i.e. dentil brick cornice and detailed window surrounds which adds more visual interest. The appeal property is well balanced with No. 50 in that the additions to the front elevations such as downpipes are situated to the sides of the front face of the properties at the north and south edges of the pair. There are no other obvious additions to the front elevation of the appeal site or No. 50. This balance contributes positively to the character and appearance of the Conservation Area.

6. The proposed pipework will be situated on a prominent part of the elevation, in between the front door and bay window, and will disrupt the balance of the appeal property with the neighbouring property at No. 50. Further, it would disrupt the flow of the decorative brick cornice running across the property by reason of its positioning over this feature. This would be a detraction from this distinctive architectural feature. In addition, even though the pipe will be painted to match the existing façade it will inevitably be a visible addition to the front elevation due its projection in front of the cornice.
7. I witnessed during my site visit that a lot of the surrounding properties have additions to the front elevations, similar to the proposal. This however provided a sense of visual clutter and greatly detracted from the unique features of these properties. The proposal would exacerbate this.
8. The development would harm and fail to preserve or enhance the character or appearance of the Conservation Area by reason of its detraction from important architectural features. It further upsets the balance with the neighbouring property No. 50 with which the distinctive architectural features are shared. Although the harm would be less than substantial no public benefits have been suggested which would outweigh that harm.
9. For these reasons, therefore, the development conflicts with Policies CP12 and CP15 of the Brighton and Hove City Plan Part One (March 2016) which seek to conserve or enhance the city's built historic heritage. It further conflicts with Saved Policies QD14 and HE6 of the Brighton and Hove Local Plan (2005) which seek to ensure developments are well designed and preserve or enhance the character or appearance of the area respectively.

Other Matters

10. I understand the pipework is for the provision of gas/heating, however, I am not sure whether this provision can be made by other means which would have a lesser impact on the Conservation Area, as no evidence has been submitted to demonstrate other options would not be feasible.

Recommendation and Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR