



Appeal Decision

Site visit made on 4 September 2019

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2019

Appeal Ref: APP/Q1445/W/19/3231658

Hove Manor, Hove Street, Hove BN3 2DF

- 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 Benjamin Cowen against the decision of Brighton & Hove City Council.
 - The application Ref BH2018/02786, dated 5 September 2018 was refused by notice dated 20 May 2019.
 - The development proposed is single storey roof top extension comprised of three flats.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. The Council has used a different description, which accords with the description provided by the appellant on the appeal form. My decision is based on the revised description, which more accurately describes the appeal scheme, and is erection of single storey extension at roof level to create 2no three bedroom dwellings and 1no two bedroom dwelling (C3) with external terraces.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the existing building and the Old Hove Conservation Area and on the setting of the Pembroke and Princes Conservation Area.

Reasons

4. Hove Manor is a large six storey flat-roofed, purpose-built apartment block incorporating ground floor commercial uses. It fronts onto Hove Street and has a garage and parking area to the rear. The building dates back to the early 20th Century. It is not listed or locally listed. Whilst it has not been specifically identified as a building of architectural merit by the Council, it does nonetheless have an attractive Art Deco style which has remained largely unaltered.
5. The site lies within the Old Hove Conservation Area and directly faces the eastern edge of the Pembroke and Princes Court Conservation Area. These conservation areas are characterised principally by late 19th Century two storey houses, with some scattered higher blocks of flats, including Hove Manor. There are no listed buildings within the setting of the appeal property but

Regent House and Audley House immediately to the north of the appeal site, and the flint boundary wall along the southern site boundary are locally listed by the Council.

6. The appeal property is surrounded by two storey domestic scale properties. It is widely visible from various streets within both conservation areas and is visually prominent within the street scene due to its height, breadth and distinctive design.
7. Whilst the existing building is visually prominent, it does not detract from the character and appearance of the surrounding area. The Art Deco style is strongly articulated through a harmonious uniformity of window glazing and balcony design and materials, and the regular linear positioning of the fenestration and balconies on the building. The horizontal white banding along the tops of the windows and through the balcony balustrades further reinforces the uniformity of fenestration positioning, and assimilates the balconies visually with the main building. It also provides a strong horizontal emphasis to the building's appearance. The dominant fenestration pattern is not diminished by the presence of white upvc frames. The brick walls provide a strong visual link with the surrounding brick houses.
8. The existing flat roof is simple and subservient to the main building. The caretakers flat and low brick parapet wall are in keeping with the main building. Brick chimneys add a domestic scale element to the building in keeping with the surrounding two storey housing. The stair and lift overruns are visually inobtrusive being small and set back from the main elevations.
9. The appeal proposal would remove the existing roof-level caretakers flat and add an additional flat-roofed storey to the building, to provide three new flats, each with a terrace facing Hove Street. There is no objection in principle to 'capping' the existing building nor to introducing a contemporary design. However, such proposals should have appropriate regard to the character and appearance of the existing building and be of an appropriate scale, massing and bulk.
10. It is acknowledged that the extension would be set back from all elevations, particularly at the front of the building, where two large areas of the existing roof would remain undeveloped and three terraces would be provided in front of the building. However, the proposed side and rear set-backs would be minimal in comparison to the overall building width and depth, and even narrower than the width of the front bay windows to the block. Accordingly, in wider views, the extended building would read as a full seven-storey building as opposed to a six-storey building with a subsidiary addition at roof level.
11. The proposed floor to ceiling windows would be out of keeping with, and significantly larger than, the glazing panels in the main building. Their positioning would be at odds with the regular arrangement of windows below, and there would be large areas of blank, unrelieved wall space between the windows, particularly on the rear elevation. The visual prominence of the extension would also be exacerbated by the proposed metal cladding walls. Even if these were to be of a similar colour to the main building brick, this would still be at odds with the main building and prevalent material within the conservation areas and would serve to emphasis the contemporary nature of the addition in contrast to the main building.

12. Accordingly, the proposal would appear as an incongruous, visually dominant, addition which would not relate well to the existing building and would significantly detract from its attractive Art Deco character. The combination of its scale, mass, bulk and design, would materially harm the character and appearance of the building. The proposed increase in height would increase the prominence of the building within the conservation areas with an associated reduction in the design quality of the existing building. This would detract from the appearance of the building within the streetscene and wider conservation areas and would adversely affect the setting of the adjacent locally listed buildings.
13. For the above reasons, the proposed development would fail to preserve or enhance the character or appearance of the Old Hove Conservation Area and the setting of the Pembroke and Princes Conservation Area and adjacent locally listed buildings. It would harm their significance as heritage assets. As such, the appeal proposal does not accord with retained Policies QD14, HE6 and HE10 of the Brighton and Hove Local Plan (2005) nor with Policies CP12 and CP15 of the Brighton and Hove City Plan Part One.
14. These policies, amongst other objectives, aim to ensure that new development is of a high quality design and conserves or enhances the city's built heritage and its settings, and that extensions to existing buildings are well-designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area and use materials sympathetic to the parent building. For similar reasons, the proposal would also be contrary to Policies of the National Planning Policy Framework (the Framework) which seek to secure high quality design as set out in Chapter 12.
15. In terms of the advice in paragraph 196 of the Framework, the harm to the conservation areas and locally listed buildings would be 'less than substantial' affecting only their immediate surroundings and the Framework sets out the need to address the 'less than substantial harm' in a balanced manner against public benefits of associated with such schemes.
16. The proposed two additional residential units would bring economic and social benefits, including construction jobs, increased local spend and sustainably located new homes boosting the supply of housing in an area of identified need. In this respect the Council has acknowledged that it is unable to demonstrate a five-year supply of deliverable housing sites. In such terms, though in the broad scheme of things a modest contribution, these factors can and should weigh modestly in favour of the proposals and can be considered within the context of paragraph 196 of the Framework, a public benefit.
17. However, although the provision of two additional units of residential accommodation can be considered such a benefit, and can be afforded a modest degree of weight in favour of the scheme, this benefit is significantly and demonstrably outweighed by the harm the development would cause to the character and appearance of the Old Hove Conservation Area and the setting of the Pembroke and Princes Conservation Area and locally listed buildings of Regent House and Audley House and the southern boundary wall, all designated heritage assets.
18. The appellant has cited examples of other planning applications relating to flats blocks within the surrounding area. However, the circumstances of these cases

are not directly comparable with those of the appeal proposal and do not alter the above findings.

19. The appellant has sought pre-application advice from the Council which has resulted in an amended scheme from that originally proposed. Whilst the changes to the scheme have been noted, this does not alter my findings with respect to the current scheme. Neither does the fact that the Conservation Advisory Group and the Council's Heritage Team have raised no objection.

Conclusion

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

S Leonard

INSPECTOR