

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/19/3241536

12 Sudeley Terrace, Brighton BN2 1HD

- 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 Kevin Newman against the decision of Brighton & Hove City Council.
 - The application Ref BH2019/02042, dated 9 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is the provision of an external insulation and render system to a depth of 100mm.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the existing building and the East Cliff Conservation Area

Reasons

3. The appeal site is located at the edge of a mostly residential area, albeit with medical buildings on the opposite side of Sudeley Terrace and a public house in close proximity. The site is within the extensive East Cliff Conservation Area, the significance of which appears to be derived from the presence of buildings of similar style that reflect a significant period in Brighton's growth. The built form within the Conservation Area is arranged in a structured street pattern and the Council's East Cliff Conservation Area Study and Plan (CASP) identifies that lengthy terraces of consistent appearance are an important feature of the Conservation Area. The CASP also identifies that the part of the Conservation Area that includes the appeal site features Victorian terraces of uniform arrangement and scale, with cant bays and sash windows. I have paid special attention to the desirability of preserving or enhancing the character and appearance of the area.
4. The dwelling at the appeal site sits at the end of a lengthy terrace that has a distinctive rhythm due to each dwelling within it being painted a different colour and featuring repetitive detailing, including parapets with motif corbels to the front. The side elevation of the dwelling aligns with the flank wall of the terraced dwelling at the rear of the site, 32 Sudeley Street, with this alignment being emphasised by the presence of a straight boundary wall between dwellings. This arrangement and the manner in which the side elevations face Upper Sudeley Street, leads to the pair of dwellings being a prominent example of the uniform arrangement of dwellings that is common within the locality. In

this context, the bay window, the parapet detailing and the sash windows at the side of the dwelling are prominent features that contribute positively to the character and appearance of the building and the locality.

5. The proposed development would see the addition of an external render and insulation system to the side of the existing building. This would cause the side elevation of the dwelling to project forward of its existing position and, as such, it would no longer align with the dwelling at 32 Sudeley Street. By disrupting the alignment of the dwellings and projecting forward of the side elevation, the proposal would erode the formal arrangement of the terraces and detract from the appearance of Upper Sudeley Street.
6. The submissions indicate that the parapet and window cill details would be enlarged in order to enable their retention. However, there is no indication that the other parts of the windows and the bay would be altered and, as such, it appears that these features would become recessed from the elevation, which would reduce the contribution they make to the appearance of the dwelling and the locality.
7. Furthermore, by causing the parapet to be substantially thicker, it would no longer be consistent with the others within the terrace. The plans do not show the retention or replacement of the motif corbel detail at the front of the dwelling and, as such, the resultant parapet would be unlike any other within the terrace. This would disrupt the repetitive detailing of the terrace in a manner that would detract from its overall appearance.
8. These alterations to the built form would be noticeable and would alter the manner in which the detailing of the dwelling and its alignment with 32 Sudeley Street are appreciated. As a result, the proposal would detract from the appearance of the existing building and erode the contribution that the building makes to the character and appearance of the immediate locality and the Conservation Area.
9. For the reasons given above, the proposal would cause less than substantial harm to the significance of the designated heritage asset, which I afford considerable weight. The National Planning Policy Framework indicates that this should be weighed against any public benefits of the proposal.
10. In this regard, I note that the development has been proposed to address issues of damp. It has been stated that, if unresolved, damp could cause the deterioration of the building in a manner that might harm the Conservation Area. It has also been stated that previous attempted remedies have been unsuccessful and that this approach is in accordance with specialist advice. However, neither the specialist advice nor evidence of the presence of damp has been submitted and, as such, the extent of the problem and the likelihood of the building deteriorating has not been clarified. The evidence before me does not, therefore, provide grounds to conclude that the avoidance or alleviation of damp represents a public benefit to an extent that outweighs the identified harm. For the same reasons, I can only afford minimal weight to the suggestion that the proposal would improve living conditions.
11. Similarly, although policy CP15 of the Brighton & Hove City Plan Part One (2016) states that positive action for heritage assets at risk will be prioritised, I have not been provided sufficient evidence to demonstrate that the asset is at

risk or that the preservation or protection of the building should be prioritised over the policy requirement to conserve or enhance the historic environment.

12. For the reasons given above, the proposal would have an unacceptable effect on the character and appearance of the existing building and the Conservation Area. The development would therefore be contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan (2005) which combine to require that proposals preserve or enhance the character or appearance of the Conservation Area, are well designed and detailed, use building materials and finishes which are sympathetic to the area and retain small scale architectural details which contribute to the character or appearance of the area.

Conclusion

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

Ian Harrison

INSPECTOR