
Appeal Decision

Site visit made on 11 May 2020

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 June 2020

Appeal Ref: APP/Q1445/W/19/3243563

113-114 Western Road, Brighton BN1 2AB

- 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 Dieter Haslam of the Laine Pub Company against the decision of Brighton & Hove City Council.
 - The application Ref BH2019/03089, dated 16 October 2019, was refused by notice dated 28 November 2019.
 - The development is the installation of timber cladding to the ground floor elevations.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal has been made retrospectively. I observed on site that what has been built matches the drawings submitted with the appeal, and I have determined the appeal on the basis of the drawings.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, in particular the Regency Square, Brunswick Town, and Montpelier & Clifton Hill Conservation Areas.

Reasons

4. The site is a 3-storey building on a corner plot on the south side of Western Road, on the junction with Little Western Street. Stained timber cladding has been installed to the ground floor of the property.
5. The site lies within the Regency Square Conservation Area and immediately adjacent to the Brunswick Town and Montpelier & Clifton Hill Conservation Areas. Western Road passes through these and has its own distinct character and appearance in this area as a busy, commercial street running between predominantly 19th Century residential side streets. It forms an important part of the significance of the Regency Square Conservation Area, and the adjacent conservation areas.
6. Western Road is a long road with a variety of commercial units to the ground floor. Visually there are a range of elevation designs and treatments found at ground floor level. However, despite this variety of detailed design, the majority of the commercial units have retained a broadly traditional appearance with a predominance of timber or metal framed shop fronts with a

high proportion of glazing. The upper floors are more consistent and are also generally of traditional appearance. The area has an active and vibrant character, and the extensive glazing and relatively lightweight frontage elements reinforce its traditional feel.

7. The timber cladding on the appeal property is extensive. It covers the entirety of the ground floor, including the Little Western Street façade. The timber is thick and stained; it adds bulk, is heavyweight, and is visually prominent. Overall, rather than adding visual texture, I consider it to be intrusive in the street scene. There are no other properties along this part of Western Road with similar cladding, or anything of even approximate appearance, character or material. Evidence has been provided that the appeal building previously had a painted render façade, matching the materials of the upper floors of the building. Rather than accentuating the architectural details, the cladding has therefore very likely obscured a traditionally designed façade that was much more in-keeping with the character and appearance of the building and this part of Western Road.
8. The vertical and horizontal emphasis of the cladding does provide some articulation to the façade and to a degree helps to frame the windows. However, it is questionable what visual benefit this brings, and this does not overcome the harm identified.
9. The upper storeys are unaffected and remain of traditional appearance, with painted render and sash windows. However, although the cladding does not directly obscure the upper levels, the prominence and alien appearance of the cladding unbalances and detracts from the traditional appearance of the building overall.
10. Consequently, the works harm the character and appearance of the building, this part of Western Road, and the wider area, and fail to preserve or enhance the character or appearance of the Regency Square Conservation Area and the setting of the Brunswick Town and Montpelier & Clifton Hill Conservation Areas. The works therefore fail to comply with Policies QD14 and HE6 of the Brighton & Hove Local Plan 2005, and Policies CP12 and CP15 of the Brighton & Hove City Plan Part One 2016. Amongst other things, these policies seek high quality design reflecting the character or appearance of the building and wider area, the use of materials sympathetic to the building and wider area, and to conserve and enhance the character or appearance of conservation areas.
11. I find the harm to the conservation areas to be less than substantial, as defined in Paragraph 193 of the National Planning Policy Framework (the Framework). Paragraph 196 of the Framework states that where a development proposal would lead to less than substantial harm to a conservation area, this harm should be weighed against the public benefits of the proposal. In this case, the public benefits from the cladding of a commercial premises that appears to have previously been in a good state of repair are negligible, if any exist at all. As set out in Paragraph 193 of the Framework, I place great weight on the less than substantial harm to the character and appearance of the conservation area that I have identified, and this outweighs the very limited, if any, public benefits.

Other Matter

12. The grade II listed buildings of 1-5 Norfolk Square are located to the southeast of the site. They are close to the site, but are sited around a corner, and the works cannot be seen in the context of the buildings, other than in a very minor manner, at an oblique angle in the background, and from a distance. The works therefore preserve the setting of the listed buildings.

Conclusion

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

O S Woodward

INSPECTOR