
Appeal Decision

Site visit made on 21 July 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2020

Appeal Ref: APP/Q1445/W/20/3245893

Living Accommodation, 52 Carlton Hill, Brighton, BN2 0DA

- 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 James Timpson of Timpson Properties Ltd. against the decision of Brighton & Hove City Council.
- The application Ref BH2019/01633, dated 1 June 2019, was refused by notice dated 30 July 2019.
- The development proposed was originally described as "Increase of height of boundary walls to part of east facing elevation and north facing elevation. This is necessitated by safety issues related to gangs of youths climbing from the council owned planter at the North West corner onto the roof and from there onto the main building roofs causing damage and distress to the occupants as well as putting themselves at serious risk of injury. The relevant height has been increased from 1600mm to 2520mm and has been sufficient to prevent further incursions. It is proposed to improve the visual appearance of the walls by applying a smooth render in the areas identified on the layout drawing. As this area is prone to graffiti this can then be easily overpainted as necessary."

Decision

1. The appeal is dismissed.

Procedural Matters

2. I carried out an unaccompanied site visit. It was possible to view the works from the road.
3. The proposal is part retrospective. It seeks to retain the increase in height to the walls to the side and rear of the host property, which has already been carried out. The additional work involves the rendering of the walls.

Main Issue

4. The effect of the proposal on the character and appearance of the host building and surrounding area.

Reasons

5. The host building exhibits an attractive, predominantly dark brick, appearance on its street facing elevations. However, the raising of the walls has been carried out in larger breeze blocks of a grey colour. This jars with the dark bricks, resulting in a messy appearance. The solution proposed is to cover the affected parts of the building in render.

6. I observed that there are numerous examples of rendered buildings in the surrounding area, particularly those to the north of the site. These buildings face on to the same road as the appeal site and form part of the local townscape. There are also solid white sections, visible on the blocks of flats around the site. As such, the surrounding built environment is not completely dominated by brick. It is common for brick and render to be used together on the same building, and there are no convincing reasons why a similar arrangement could not in principle be carried out on this building. Indeed, the appellant notes that render has been used on other parts of the host property.
7. However, I have concerns about the detailed design of the proposed rendering. On the north facing elevation it would be confined to a narrow band at the top of the relevant part of the building. The rendering of the west facing elevation would be more comprehensive, but there would still be a large band of brickwork at the bottom of the wall. The use of render would therefore appear incomplete, and the two elevations would not be visually consistent with each other. Even if the render matched the colour of the other bricks, there would still be a significant and noticeable difference in the texture of the materials used in the construction of the respective walls.
8. Accordingly, the impression would be of a building that has been inconsistently patched up. It would lack coherence in its external appearance. In this respect I agree with the Council's finding that the works would appear incongruous. The proposal would detract from the character and appearance of both the host building and the surrounding area, given the prominence of the works in views from the adjacent road. It conflicts with policy QD14 of the Brighton and Hove Local Plan 2005 which requires, amongst other things, that alterations to existing buildings will only be granted if the proposal is well designed in relation to the host property. This policy is consistent with the National Planning Policy Framework, which seeks to achieve well-designed places.

Other Matters

9. Any potential benefits through improved thermal efficiency and security to the building would not outweigh the harm identified in the main issue set out above. The proposal cannot be made acceptable through the use of planning conditions. I note the appellants willingness to explore other solutions. However, my decision must be made on the basis of the plans that were refused by the Council. It would not be appropriate to comment on hypothetical alternatives. These should be directed, in the first instance, to the local planning authority following this decision.
10. There are also objections to the proposal from interested parties, citing other issues to those set out in the Council's reason for refusal and dealt with in my reasoning above. However, as the appeal is failing for other reasons, there is no need to address these.

Conclusion

11. The proposal conflicts with the development plan and there are no other considerations that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR