



Appeal Decision

Site visit made on 1 November 2021

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2021.

Appeal Ref: APP/Q1445/W/21/3273469

Codrington Mansion, 139 Western Road, Brighton, BN1 2LA

- 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 Bailey Holdings Limited against the decision of Brighton & Hove City Council.
 - The application Ref BH2021/00475, dated 10 February 2021, was refused by notice dated 30 March 2021.
 - The development proposed is the erection of a cycle store to rear.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a cycle store to rear at Codrington Mansion, 139 Western Road, Brighton, BN1 2LA in accordance with the terms of the application, Ref BH2021/00475, dated 10 February 2021, subject to the following conditions:
 1. The development hereby permitted shall be carried out in accordance with the following approved plan: 0332.01.
 2. Prior to the first use of the cycle parking hereby permitted, the security lights as shown on the approved drawing shall be fully installed and made available for use. They shall thereafter be maintained in perpetuity.

Preliminary Matter

2. The development has commenced; that does not affect my consideration of the case.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and locality.

Reasons

Character and appearance

4. The appeal property is a four-storey block of residential flats on the north side of Western Road, with its rear façade facing onto a car park and alongside other rear service, amenity and yard areas. The wider scene is a varied one in appearance and generally functional in character. Whilst the main buildings are of traditional form in their principal structure there are clear modernisation elements such as extensions and fire escapes in evidence on them and newer development such as the multi-level car park to be seen nearby. The appeal scheme would comprise two Sheffield stands (providing space for up to four
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bicycles) covered by a metal-framed, polycarbonate curved shelter that features two mounted security lights.

5. The Council is concerned that the scheme would have an incongruous appearance within its immediate environment, detracting from the traditional character of the host building and the neighbouring structures. The case is made that with most viewing being towards the host building a greater effort should be made towards a smaller more traditional structure.
6. I do not share this view given the characteristics I describe in paragraph 4 above. The scheme will not be jarring on the eye, as evidenced by a similar shelter nearby which sits innocuously. Level changes in the locality and other structures give rise to varied views, or not, of the site and I see no reason why a relatively modern structure cannot sit comfortably alongside the rear elevation of the host property in this context. The rear elevation will still be legible and stand forth as the older element in the wider picture. This type of cycle store is now becoming a familiar sight in established urban areas and I don't sense incongruity. As the Council fairly recognises, heritage assets are not affected here. The promotion of sustainable travel via secure cycle parking would be a benefit in my mind and I find no aesthetic reason for not adopting the solution put forward by the Appellant.
7. The Brighton and Hove Local Plan (LP) includes Saved Policy QD14 and the Brighton and Hove City Plan Part One embodies Policy CP12 which are relevant to the case. Taken together and amongst other matters, these seek well designed development that should protect local distinctiveness and character, respect the host building and its locality, and generally be architecturally suited to its place. Given the nature of the scheme I conclude that the proposal would not conflict with these development plan policies.

Conditions

8. I agree with the Council that there should be a condition that works are to be carried out in accordance with listed, approved, plan; to provide certainty. I also agree that security lighting should be in place in the interests of amenity and discouragement of anti-social behaviour.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would not have unacceptable effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR