



Appeal Decision

Site visit made on 11 April 2022

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH April 2022

Appeal Ref: APP/Q1445/W/21/3283502

Cambridge Works, Cambridge Grove, Hove BN3 3ED

- 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 Simon Ross against the decision of Brighton & Hove City Council.
 - The application Ref BH2021/02495, dated 30 June 2021, was refused by notice dated 3 September 2021.
 - The development proposed is new residential unit above the re-built garage with offices to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for a new residential unit above the re-built garage with offices to the rear at Cambridge Works, Cambridge Grove, Hove BN3 3ED in accordance with the terms of the application Ref BH2021/02495, dated 30 June 2021, and subject to the conditions in the attached schedule.

Preliminary Matters

2. Planning permission has been granted recently for a scheme essentially the same as the appeal proposal in terms of accommodation but omitting the extended brick curtain wall at the front of the building¹. Given the similarities with the appeal scheme and that the decision is extant, I have had regard to it as a material consideration.
3. I have taken the address from the application form, which is repeated using the same wording on the Council's decision notice. However, I note that in various documents submitted with the appeal, the site is also referred to as 'The Old Studio' to distinguish it from other commercial premises in Cambridge Works.

Main Issue

4. The main issue is the effect of the brick façade on the character and appearance of the area, including the setting of the Willett Estate Conservation Area.

Reasons

5. The site is currently occupied by a single storey motor vehicle repair workshop with a canopy at the front and one-and-a-half storey ancillary office building at the rear. Permission has been granted for its replacement with a part 1, part 2 and part 3 storey building retaining the workshop and canopy on the ground

¹ BH2021/00602, permission granted 1 June 2021.

floor with residential accommodation and garden terraces above. The ancillary office building at the rear would remain. The staggered form of the building has been dictated by the need to retain light to windows in the flank elevation of the neighbouring building. Its general form and relationship with other buildings in the yard has been accepted by the Council in the previous grant of permission and is not a matter of contention in this appeal.

6. As permitted, the replacement building would have a brick façade to the front elevation with vertical and horizontal bands framing the end elevations of each section of the building. Within each frame would be glazing and sliding brise soleil screens. The difference between the permitted and proposed schemes is that the brick façade would be extended to form frames around the front of the first and second floor garden terraces as well as the building. These frames would also contain sliding brise soleil.
7. Extending the brick façade in this manner would increase the visual presence of the building, although its design and appearance would echo that of the permitted scheme, which was found to be acceptable. Because of its secluded location, that presence would be mainly limited to its immediate environs within the yard. Given the eclectic mix of buildings in the yard, including the more dominant Paris House at its eastern end, I consider the additional façade would not be visually harmful to this area.
8. Oblique views of the façade would be gained from Wilbury Villas as the road rises to cross the railway line, but it would be largely seen against the bulk of the building rather than from the front, limiting its visual impact. Views from the end of the more modern residential development to the west would likewise be seen against the bulk of the neighbouring buildings rather than in profile. In all other respects, the façade of the building would be largely concealed from public view by the railway line, surrounding buildings and road embankment.
9. The site lies outside but adjacent to The Willet Estate Conservation Area, which includes the buildings in Cambridge Grove. The significance of the Conservation Area lies mainly in the large, bay fronted, late Victorian houses fronting spacious tree lined streets to the south of the appeal site. Also included in the Conservation Area are mews, such as Cambridge Grove, originally built to serve the grander properties in the area but now largely converted to separate residential dwellings or small workshops. Notwithstanding its proximity, the appeal site is not readily visible in public views from the Conservation Area, it being screened from those parts of significance by the buildings in Cambridge Grove.
10. I conclude that the extended brick façade would not have a harmful impact on the character and appearance of the area, and as a result would not conflict 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, which require new development to be well designed and respect the character and appearance of heritage assets, including conservation areas.
11. I also conclude that extending the façade would have little significant effect on the setting of the Willet Estate Conservation Area. Even if that limited effect were considered to lead to less than significant harm to the setting of the Conservation Area, I consider that the benefits of the scheme, which

12. would help to meet housing demand in the area through the addition of a new dwelling, would outweigh any such harm.

Conditions

13. I have considered the conditions suggested by the Council in the light of the tests set out in paragraph 56 of the National Planning Policy Framework and imposed them where they meet those tests, subject to rewording in the interests of clarity.
14. In addition to the standard time limit condition, a condition listing the approved plans is necessary in the interests of certainty. A condition requiring approval of external materials is necessary in the interests of the appearance of the development and the character of the wider area.
15. Conditions requiring the installation of soundproofing, acoustic glazing and a ventilation system are necessary to address the potential for noise disturbance to future occupiers of the residential dwelling.
16. A condition requiring installation of cycle parking and storage is necessary to encourage the use of travel by means other than private motor vehicles. A condition requiring installation of acoustic and privacy screens on the garden terraces is necessary in the interests of privacy and the living conditions of both future and neighbouring occupants. A condition requiring a bee brick is necessary to accord with local policy and support a modest ecological benefit arising from the development.
17. Conditions requiring assessment and remediation of any potential ground contamination are unnecessary as the existing commercial use would continue on the ground floor with all new residential accommodation, including outside terraces, confined to the first and second floors.

Conclusion

18. The proposal would accord with the development plan when taken as a whole. As there are no material considerations, including its effect on the setting of the Willet Estate Conservation Area, that indicate a contrary view should be taken, I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1229-P-121, 1229-P-122, 1229-P-123, 1229-P-124 and 1229-P-125.
- 3) No development above ground floor slab level shall take place until details of all materials to be used in the construction of the external surfaces of the development hereby permitted, including bricks, render (and colour),

windows, doors, brise soleil and balcony treatments, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

- 4) Prior to occupation of the development hereby permitted, soundproofing of the floor between the ground floor commercial use and the residential unit above shall be carried out in accordance with the recommendations of the planning noise assessment Ref 5013_001R_2-0_JE by Anderson Acoustics Limited dated 16 February 2021, and thereafter retained.
- 5) Prior to occupation of the development hereby permitted, a ventilation system shall be installed that enables all rooms to have access to clean air drawn from outside the building without it being necessary to open windows in accordance with the recommendations of the planning noise assessment Ref 5013_001R_2-0_JE by Anderson Acoustics Limited dated 16 February 2021. The ventilation system shall thereafter be retained.
- 6) Prior to occupation of the development hereby permitted, glazing to all external windows and doors shall be fitted to a standard to achieve a reduction in noise that is in accordance with the recommendations of the planning noise assessment Ref 5013_001R_2-0_JE by Anderson Acoustics Limited dated 16 February 2021, and thereafter retained.
- 7) Prior to occupation of the development hereby permitted, the cycle parking and storage facilities shown on the approved plans shall be implemented and made available for use by occupants and visitors of the workshop and residential dwelling. The cycle facilities shall thereafter be retained.
- 8) Prior to occupation of the development hereby permitted, the acoustic and privacy screens to the garden terraces shown on the approved plans shall be installed, and thereafter retained.
- 9) Prior to occupation of the development hereby permitted, a bee brick shall be incorporated in an external wall of the building, and thereafter retained.

*****End of Conditions*****