



Appeal Decisions

Site visit made on 4 September 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 September 2025

Appeal A: APP/Q1445/W/25/3365839

10 Victoria Grove, Hove, Brighton & Hove BN3 2LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Leo Day of Golden Lion Group against the decision of Brighton & Hove City Council.
 - The application reference is BH2024/01661.
 - The development is described as 'retrospective application for new awnings and frame, replacement tiling, replacement of bi-fold windows with sash windows and painting of fascia panel green. Increased height of planters along front boundary.'
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Appeal B: APP/Q1445/Y/25/3365844

10 Victoria Grove, Hove, Brighton & Hove BN3 2LJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Leo Day of Golden Lion Group against the decision of Brighton & Hove City Council.
 - The application reference is BH2024/01662.
 - The works are described as 'retrospective application for new awnings and frame, replacement tiling, replacement of bi-fold windows with sash windows and painting of fascia panel green. Increased height of planters along front boundary.'
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As the appeal site lies within a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are whether the appeal scheme preserves a Grade II listed building, known as 'Former Mews' (Ref: 1209914) and any of the features of special architectural or historic interest that it possesses and the extent to which it preserves or enhances the character or appearance of The Avenues Conservation Area.

Reasons

5. The appeal property forms part of a listed building, which is known as ‘Former Mews’. It is a U-plan mews development, which was built in the late-nineteenth century. The listed building features yellow stock bricks, with moulded brick dressings. It has a shallow pitch, slate roof. The appeal property is a two storey building, which fronts the highway and is highly prominent from the public realm. It is currently in use as a public house. A shopfront was added to the appeal property in the twentieth century.
6. Based on my site visit and the evidence before me, I find that the listed building’s special interest insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of a nineteenth-century former mews. The building’s surviving historic fabric, presence of traditional materials and its pleasing architectural style and design make important contributions in these regards.
7. The appeal site lies within The Avenues Conservation Area (CA). The CA includes part of the seafront, a number of tree-lined avenues and historic mews. The avenues are flanked by buildings of varying architectural styles, which typically range from two to four storeys in height. The buildings generally feature yellow stock bricks and have slate roofs. The boundary treatment to the front of properties in this part of the CA is typically characterised by low, brick walls, some of which have railings above. The significance of the CA, insofar as is relevant to these appeals derives from the high quality architecture and public realm, including the historic mews properties and the presence of traditional materials and boundary treatments, which signify the town’s evolution as a historic seaside resort.
8. The appeal scheme seeks consent to retain the awnings and frame. The awnings are positioned symmetrically either side of the front entrance. Unlike the previous retractable awnings, the frame is a permanent and bulky addition, which dominates the front elevation of the appeal property and is highly prominent from the public realm. The frame also utilises materials that appear discordant with the more traditional materials typically found on the listed building and within the historic environment. The awning and frame appear incongruous on this historic building and undermine the authenticity and integrity of the listed building and harm the character and appearance of the CA.
9. The planters within the appeal scheme are higher in height than the previous planters. The planters are also higher and more prominent in the street scene than the low brick walls, which are a typical feature at the front of properties in this part of the CA. Further planters are also proposed on the pavement. The planters by reason of their size, design and siting appear as prominent and discordant features, which harmfully jar with the more traditional boundary treatment in the locality and erode the special interest of the listed building and the character and appearance of the CA.
10. The appeal scheme seeks consent to retain the timber sliding sash windows, which have replaced the previous bi-fold windows. The Council raises no objection to this part of the scheme. I appreciate that the new sash windows are more in keeping with the other windows on the listed building. However, the previous bi-fold windows were constructed of timber and were therefore a traditional and appropriate material for this historic building. Accordingly, I find the replacement

windows result in a modest enhancement to the listed building and CA, which I give moderate weight in my decision.

11. The Council raises no objections to the replacement tiling and painting of the fascia panel. While the colour scheme has changed, based on the evidence before me, I do not find that the previous lighter colour scheme appeared out of place against the background of yellow stock bricks or other light-coloured shopfronts in the locality. Consequently, I find no benefit in this regard and find that these elements of the works would preserve the special interest of the listed building and the character and appearance of the CA.
12. Despite the modest enhancement that I have identified in respect to the windows, I find that overall, the appeal scheme fails to preserve the special interest of the listed building and the character and appearance of the CA as a whole. Given the nature and extent of the development and works, I find the harm to the significance of the listed building and CA to be 'less than substantial' and at the lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the appeal scheme, including where appropriate, securing its optimum viable use.
13. There is a small economic benefit attributed to the appeal scheme as a result of the construction works, which I give limited weight as a public benefit. The appellant ascertains that the appeal scheme meets planning policy objectives by giving support for local pubs and community facilities and support for direct employment and local suppliers. However, there is no compelling evidence before me why similar benefits could not be achieved from a more sensitive scheme, which still enables customers to use the outdoor seating area during most weather conditions. I therefore give these arguments limited weight in my decision as public benefits. There is also no substantive evidence that the appeal scheme is necessary in order to secure the optimum viable use of the asset or that dismissal of these appeals could threaten the viability and longevity of the public house. Overall, I find that the public benefits carry moderate weight in favour of the development and are insufficient to outweigh the great weight afforded to the conservation of heritage assets.
14. For the reasons set out above, I conclude that the appeal scheme fails to preserve the special interest of the Grade II listed building and the character and appearance of the CA. The appeal scheme fails to accord with the requirements of the Act and the historic environment policies of the Framework. The appeal scheme conflicts with Policies CP15 of the Brighton and Hove City Plan Part One, March 2016 and Policies DM26, DM27 and DM29 of the City Plan Part Two, October 2022. These policies among other things require that proposals preserve or enhance the distinctive character and appearance of a CA and do not harm the special architectural or historic interest of a listed building, having particular regard to its design, construction, fabric, finishes, architectural detailing and boundary treatment.

Other Matters

15. I appreciate that a private representation was received in support of these appeals. However, this does not alter my findings set out above.

Conclusion

16. **Appeal A:** The appeal scheme conflicts with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, for the reasons given above, Appeal A should be dismissed.
17. **Appeal B:** For the reasons given above, Appeal B should be dismissed.

A James

INSPECTOR