



Appeal Decision

Site visit made on 29 October 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2025

Appeal Ref: APP/Q1445/W/25/3370700

1 Mayo Road, Brighton, Brighton & Hove BN2 3RJ

- 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 Roy Pook against the decision of Brighton & Hove City Council.
 - The application Ref is BH2025/00732.
 - The development proposed is reconfiguration of rear extension and erection of new house to side of existing house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this appeal is whether the proposal would preserve or enhance the character or appearance of the Round Hill Conservation Area (CA).

Reasons

3. The proposal is to erect a house attached to the existing dwelling, and extend the dwelling, located at the corner of Mayo Road and Prince's Road.
4. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Framework (paragraph 208) guides that the particular significance of any heritage asset that may be affected by a proposal should be identified and assessed.
5. The CA's significance derives from its development by the Stanford family as a residential area in the late nineteenth century. The area is notable for its hilly topography and unaltered Victorian street plan, with its long terraces of houses framing views of the sea and the downs. This visually cohesive neighbourhood retains the uniform heights of its Victorian terraces and villas, constructed of render, stucco and slate (although many houses have been reroofed with concrete tiles). The gardens and lines of trees give the CA a greenness in long views.
6. The Round Hill Conservation Area Character Statement (CACS), albeit dating from 1977, is a material consideration. It divides the CA into four discrete areas based on the date of development. The appeal site straddles two areas, where Mayo Road turns a sharp corner into Prince's Road. The properties in Mayo Road and Prince's Road are two storey terraced houses with bracketed eaves and canted bays, enclosed by front gardens with boundary walls. The appeal property's front elevation faces Prince's Road and is characterised by decorative stucco features,

an absence of bay windows, and a flat roofed section which is likely to be a later addition. In common with other houses in Prince's Road, it has a generous front garden.

7. The proposal would create a new dwelling attached to the existing house, occupying almost all of the existing front garden. Whilst the materials and detailing of the new house seek to reflect the existing properties in Mayo Road, the entire fabric of the existing elevation to Prince's Road, which includes architraves, bracketed cills, keystones and pilasters, would be lost. The fact that this frontage has not been well maintained is of little weight, as is the question of whether the pair of 'blind' windows is original or not given that they are a well-established element of the building's character. By contrast, the new dwelling would have an asymmetrical design and less ornate detailing, and whilst the treatment of the flat roofed section would result in a marginal improvement to this part of the building, this would not compensate for the harm which would result to the main part of the building.
8. The proposal would unbalance the vista along Prince's Road, which is characterised by a relatively deep building line and well-proportioned front gardens. The new dwelling would be prominent in views looking down Prince's Road from the summit of 'round hill', representing a departure from the regularity of the existing street frontage, which the CACS identifies as an important element of the CA's significance. I attach limited weight both to the fact that the vista of the downs themselves would only be obscured in viewpoints close to the site, and to the fact that the proposal would help to partially hide views of industrial buildings, since overall the proposal would result in harm to this important view.
9. The appellant has argued that corner sites are more capable of being developed forward of the building line, by reference to local and national design guidance including the Council's Supplementary Planning Document 17 "Urban Design Framework", the National Design Guide, and the government's 'By Design' document, albeit the latter has been superseded. However, there is nothing in my reading of this guidance which suggests that building lines should be relaxed on street corners, and even if this were to be the advice given, it would not overcome the harm I have identified.
10. The appellant has identified that Ashdown Road, which is within the CA, has pairs of houses at either end which abut the pavement, contrasting with the intervening terraced houses which are set back. However, it strikes me that this aspect of the CA is likely to be a conscious piece of urban design, with the properties in question "bookending" the street to provide order and symmetry. The setback of the intervening dwellings is modest, giving the road an enclosed feel overall. By contrast, Prince's Road is characterised by its openness and landscaped frontages, which the proposal would disrupt to a significant degree.
11. I find that the proposal would adversely affect the character and appearance of the CA, resulting in a high degree of less than substantial harm to its significance, to which I attach considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) states that in such circumstances, the harm to designated heritage assets should be weighed against the public benefits.

12. The appellant has highlighted that the proposed dwelling would provide social and economic benefits, which are particularly relevant given the Council's housing land supply shortfall, against a housing target which is less than its objectively assessed need for housing. It is argued that the proposal would benefit the CA by partially obscuring the views of modern industrial buildings and removing/obscuring blocked up windows and rear extensions which detract from the CA. However, these benefits are not sufficient to outweigh the harm I have identified.
13. I conclude that the proposal would fail to preserve or enhance the character or appearance of the CA. For this reason, the proposal would be harmful to the character and appearance of the area and the historic environment. As a result, the proposal would be contrary to policies CP12 and CP15 of the Brighton & Hove City Plan Part One March 2016 and policies DM18 and DM26 of the City Plan Part Two October 2022. Together these policies require new development to conserve or enhance the city's built heritage in accordance with its identified significance, taking full account of the appraisal set out in the relevant character statement.

Planning Balance

14. A house is proposed, and the Council has confirmed that its current supply of housing is significantly below five years. In such circumstances, paragraph 11(d) of the Framework makes clear that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the proposed development.
15. Nevertheless, even though a five year housing land supply cannot be demonstrated, I have found that the proposal would harm a designated heritage asset, which is as an asset of particular importance by reference to footnote 7 of the Framework. As such, the policies in the Framework that seek to protect such assets provide a strong reason for refusing permission. Consequently, paragraph 11 of the Framework and its presumption in favour of sustainable development is not engaged.
16. The delivery of a home on previously developed land would be a social benefit, whilst economic benefits would accrue from the construction phase and from the contribution of future occupiers to local services. However, as the proposal relates to only one dwelling, I attach only moderate positive weight to the benefits that the scheme delivers. As such, these benefits do not outweigh the concerns I have identified above.

Conclusion

17. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR