



Appeal Decision

Site visit made on 6 October 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/Q1445/W/25/3369403
269 Preston Drove, Brighton BN1 6FL

- 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 The Co-operative Group against the decision of Brighton and Hove City Council.
 - The application Ref is BH2025/00627.
 - The proposed development is installation of new shopfront formed on line of concrete plinth, new ramp and handrails formed, shopfront sprayed traffic grey RAL 7043, new timber compound to side elevation for trolley storage.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) pedestrian access.

Reasons

Character and appearance

3. The appeal site is an end of terrace building on the corner of Preston Drove and Ditchling Road. The ground floor of the building is occupied by the existing Co-op convenience store, which has an aluminium frame shopfront with sliding entrance doors, vinyl graphics, an access ramp and railing on a concrete plinth. The site is part of the Fiveways Local Shopping Centre.
4. The appeal proposal comprises the construction of a front extension to create a new shopfront and entrance ramp that will increase the retail floor area by around 11 square metres. This would see the checkouts moved mainly into the extension area to allow for additional stock lines and better internal circulation. The proposed shopfront will be made from an aluminium frame and fitted with toughened glazing. Additionally, a timber enclosure would be erected to the side of the property facing Ditchling Road to provide a secure servicing area.
5. The character of nearby commercial units on Preston Drove and Ditchling Road, comprises predominantly traditional timber shopfronts many of which retain ornate detailing and features. This includes all three of the adjacent properties to the appeal site on the northern side of Preston Drove, which all have traditional timber shopfronts and appear together as a related group. The traditional timber

shopfronts that prevail on Preston Drove and Ditchling Road contribute positively to the character of the street scene and area.

6. While the appeal site has lost its original shopfront and in its existing form has a more modern appearance than others in the local centre, it is set back under its fascia. Accordingly, it does not appear as an incongruous or overly prominent feature in the street scene. The adjacent raised access platform where the extension would be built, while projecting beyond the existing building line, is also not overly prominent due to being a low and mostly open feature.
7. In contrast, the proposed box-like shopfront would prominently extend out beyond both the fascia and the prevailing existing building line into the raised platform area. I acknowledge that the adjacent units on the northern side of Preston Drove project forward of their upper floors. However, their projections are notably less than what is proposed in this case and do not appear out of place due to their shopfronts retaining the traditional timber appearance that prevails in the area. The appeal proposal's contemporary and utilitarian design, along with its significant projection past the building line, would conflict with the area's established shopfront character. This alteration would also unacceptably disrupt the existing shopfront's balanced and more cohesive relationship with surrounding units.
8. Furthermore, the box-like functional design with its dark grey aluminium structure does not take any design cue from the surrounding character of traditional shopfronts and would appear as an unrelated and excessively dominant addition to the street scene. While I note that the proposal would use similar colours to the existing shopfront, it would have a very different impact due to its projection beyond both the building's fascia and the established building line. Accordingly, the proposed shopfront design and siting would result in an extension that would unacceptably stand out and contrast with the other shopfronts in the area.
9. The proposed side compound would comprise hit and miss timber fencing to provide a secure enclosure for servicing purposes. I agree that the existing elevation lacks design quality and the informal arrangement of cages and trollies appears cluttered and unattractive. That said, while the proposal would enclose the cages and trollies, the size of the compound and projection would prominently disrupt the well-defined building line on Ditchling Road.
10. The timber fencing design and use of materials also does not bear any significant relationship to the prevailing character of the street scene. The examples of other timber materials used in the area are not directly comparable as they are much lower structures than proposed in this case. Notwithstanding, the proposed side compound by reason of its size, form and appearance would introduce a permanent structure that would appear as an incongruous and over dominant addition that would detract from the character and appearance of the Ditchling Road street scene.
11. To conclude, the proposed development would unacceptably detract from the character and appearance of the host property and street scenes on Preston Drove and Ditchling Road. Accordingly, the proposal does not accord with Policies CP12 of the Brighton & Hove City Plan Part One (CP1) and DM18, DM21 and DM23 of the Brighton & Hove City Plan Part Two (CP2), which require all new development to raise the standard of architecture and design in the city, demonstrate a high standard for design and make a positive contribution to a sense of place and the

visual quality of the environment, be well-designed and scaled, sited and detailed in relation to adjoining properties and to the surrounding area, take account of the existing character of the area and for shopfronts to respect the scale style, proportions and detailing of surrounding buildings.

Pedestrian access

12. The proposed shopfront extension necessitates modifications to the entrance ramp to facilitate the required accessibility into the shop. It would occupy a similar position to the existing ramp but with a slight extension beyond the corner due to the entrance door needing to be moved. This change would bring the ramp and access closer to an existing tree on the pavement outside the shop, which the Council consider would create an unacceptable conflict for pedestrians.
13. I note there is a disagreement as to whether the tree has been plotted correctly. Notwithstanding, from the information before me and from my own observations I am satisfied there would be sufficient space between the new ramp and tree for there to not be any material harm to pedestrian access. I also acknowledge the Council's concerns regarding proximity to an existing bin storage area. However, the proposed ramp would only be a minor extension into what is a comparatively large pavement area on the corner with Preston Drove and Ditchling Road. This corner area overall would provide ample room for pedestrians to navigate around the existing street features such as the tree and bin storage as well as the proposed extended ramp. I also note that the Council's Highway Officer, whilst raising a concern over the ramp narrowing at the store entrance, did not raise an objection to the scheme overall. This further confirms to me that on balance the proposed alterations to the ramp are acceptable and would not materially harm pedestrian access and safety.
14. To conclude and for the reasons stated, I find that the proposed positioning of the ramp is acceptable and would not give rise to material harm to pedestrian access. Accordingly, the proposal accords with Policy DM33 of CP2.

Other Matters

15. The site is located around 20 metres from the edge of the Preston Park Conservation Area (CA). The locally listed Fiveways pub, a non-designated heritage asset, is located on the opposite side of Ditchling Road to the appeal property. The Council did not include any reasons for refusal relating to heritage impacts albeit did conclude in their report that the proposal would result in less than substantial harm to the setting of the CA. Due to the incongruous projection, form and appearance of the extended shopfront I agree that there would be a very limited impact on the setting of the CA that would amount to less than substantial harm.
16. However, this would be at the lowest end of the scale due to the site being set back away from the CA's boundary. As such, it would not have a significant visual impact on the CA's special character, which from my observations and information before me relates to the historical development of the area and quality of architecture within. While I have found there to be unacceptable harm to the general character and appearance of the area, I am satisfied that the very low level of less than substantial harm to the CA would be negated by the public benefits of the proposal in terms of an improved retail offer and access. I also do not find there to be any

harm to the significance of the Fiveways pub given the separation distance that exists Ditchling Road.

Conclusion

17. I have found there to be harm to the character and appearance of the area from the proposed development, both elements of which would appear as incongruous additions to their respective street scenes in terms of its design, form, appearance and use of materials.
18. I acknowledge the benefits of the proposal in terms of local employment and helping to support the vitality of the commercial area with an increase in the active frontage to the property and floor area, all of which is consistent with the related national and local development plan policy objectives. The proposal would also result in a refurbishment of a frontage that needs some repairs, improved access for wheelchair users and internal circulation for customers and increased security for staff with the side compound.
19. Whilst I attribute weight to these benefits, I am not persuaded that they could not be achieved through a more sympathetic external design. Moreover, there is a lack of conclusive evidence of the need for the development in terms of sustaining the viability of the store and it being an absolute necessity for it to remain in the local centre. It is also not clear from the information before me why the increase in stock lines is needed and without it what adverse impacts there would be on the overall vitality and viability of the local centre. Regarding the side compound, although the appellant cites staff safety, comfort and improved security as reasons for the need for the side compound, this is not confirmed by any objective evidence that conclusively confirms how significant and frequent these issues are at present.
20. Therefore, while I recognise and give weight to the potential economic and operational benefits from the proposal, it has not been adequately demonstrated in the evidence before me that they are sufficient to outweigh the identified harm to the character and appearance of the area.
21. For the reasons given above and taking account of the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

N Perrins

INSPECTOR