



Appeal Decision

Site visit made on 20 February 2013

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 April 2013

Appeal Ref: APP/Q1445/A/12/2184509
13 Egremont Place, Brighton, BN2 0GA

- 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 Southern Gas Network against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01101, dated 12 April 2012, was refused by notice dated 30 August 2012.
 - The development proposed is replacement of gas supply pipes to front elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The gas supply pipes which are the subject of this application have already been installed.

Main Issue

3. The main issue is the effect of the gas supply pipes on the character and appearance of No 13 Egremont Place including whether the scheme preserves or enhances the character or appearance of the Queen's Park Conservation Area.

Reasons

4. The property concerned is an attractive terraced house with three storeys above a basement on the western side of Egremont Place, a distinctive street characterised by narrow frontage terraced housing lining the pavement on both sides of the road. It leads up to Egremont Gate, an imposing entrance archway to Queen's Park, and forms an integral part of the designated Queen's Park Conservation Area (the Queen's Park CA).
5. No 13 was converted some time ago into three units of accommodation with two self contained flats at basement and second floor level and a maisonette at ground and first floor level. New gas supply pipes to the three properties have recently been installed. From meter boxes located at basement level under the front door stairs one pipe enters the basement flat and a second pipe passes around the side of the stairs to enter the maisonette just under the front door. A third pipe rises up alongside the flight of steps towards the front wall of the property where it links horizontally to a vertical pipe which

rises two floors up the front elevation of the property to one side of the bay window. Then between first and second floor level a lengthy horizontal connection takes the gas pipe into the second floor flat. The pipework is fixed in place by steel brackets and runs just in front of the wall.

6. The building forms part of a terrace of similar properties with three storey bay windows and painted render front elevations. Against this terrace façade the pipework on No 13 is a noticeable, intrusive and incongruous feature. The visual harm to the front elevation is increased by the angular joints, lateral pipes, awkward and prominent pipework alongside the flight of steps and utilitarian fixing brackets. Although the pipework is painted to match the colour of the front elevation this does little to mitigate the damaging effect caused to the appearance of the building.
7. The building occupies an important position within the Queen's Park CA which comprises both the park itself and the surrounding streets that form its setting. Egremont Place is a significant approach road to the park. The gas supply pipes on the front elevation of No 13 are damaging to the character and appearance of the building concerned, the street scene of which it forms a part and, due to its prominent location, the character and appearance of the conservation area as a whole.
8. The gas supply pipes therefore cause significant harm to the character and appearance of No 13 Egremont Place and would not preserve the character or appearance of the Queen's Park Conservation Area as a whole. This is in conflict with policies QD14 and HE6 of the Brighton and Hove Local Plan which require alterations to existing buildings to be well designed, sited and detailed and in conservation areas to show a high standard of design and detailing. There is also conflict with the Council's supplementary planning document "Architectural Features" which states gas pipes will not be permitted on visible street elevations in conservation areas. In relation to the policies in paragraphs 132 – 134 of the National Planning Policy Framework the proposal would amount to significant, but not substantial, harm to the conservation area, a designated heritage asset. In such circumstances the level of harm must be balanced against the public benefits of the scheme to reach a final conclusion.
9. The public benefit which is advanced in support of the scheme is that it ensures gas supplies to the properties concerned which otherwise would not be possible. If this is the case it would be an important benefit to weigh against the harm caused by the external gas pipes.
10. The appellant claims that under current gas safety regulations the only route to provide safe gas supplies to the properties is through the front elevation, and that new internal gas pipes would not meet the relevant regulations. However, there would appear to be similar properties along Egremont Place which are converted to flats but do not employ external gas pipes.
11. In the absence of a detailed definitive report from a qualified gas installation professional to include floor plans of the property and an assessment of the various alternative pipework options I do not find the appellant's case sufficiently conclusive on this matter. Without such evidence I am not persuaded that external gas pipes on the front elevation are absolutely necessary to deliver gas supplies to the properties. This factor does not

therefore outweigh the significant harm I have identified to the character and appearance of the building and the Queen's Park CA as a whole.

12. I have been advised of examples elsewhere in the country where vertical gas pipes have been disguised to give the appearance of rainwater downpipes which are a familiar feature on terraced housing. However, this would not disguise the horizontal connections and in this case the vertical gas pipe is quite close to an existing downpipe and near to a bay window where a further downpipe would appear out of place.
13. I have considered all the other arguments raised in favour of the scheme including internal gas pipes potentially disrupting internal structures such as floors and walls, the extra cost and inconvenience of internal works, the need for ventilation of the pipes and easier maintenance of external pipes. However, none of these arguments are of sufficient importance to outweigh the significant harm that would occur.

Conclusion

14. For the above reasons I conclude that the appeal should be dismissed.

David Reed

INSPECTOR

