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# 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**

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**Appeal Ref: APP/Q1445/A/12/2184516**  
**27 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 BH2012/01110, dated 12 April 2012, was refused by notice dated 30 August 2012.
  - The development proposed is replacement of gas supply pipes to the 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 27 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 three storey terraced house 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 27 was converted to three self contained flats many years ago. In the summer of 2011 a new gas main was installed in the street and as part of these works new gas supply pipes to the three flats were installed. This takes the form of a short yellow pipe emerging from the pavement which connects to a vertical one inch steel pipe which rises two floors up the front elevation of the property to one side of the central bay window. From the vertical pipe three short horizontal connections supply the three flats. The pipework is fixed in place by steel brackets and runs just in front of the wall.

6. The building forms an integral part of a continuous terrace of similar properties with two storey bay windows, painted render front elevations and a rusticated stucco effect at ground floor level. Against this regular terrace façade the pipework on No 27 is a noticeable, intrusive and incongruous feature. The visual harm to the front elevation is increased by the angular joints, short lateral pipes, awkward transition over the string course, angular support bracket at the base of the vertical pipe and utilitarian fixing brackets. Painting the pipework to match the colour of the front elevation would do little to mitigate the damaging effect caused to the appearance of the building. I recognise that there is similar pipework next door at No 28 which is immune from enforcement action but this is an isolated example and not an appropriate standard for external works to this attractive terrace.
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 27 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 27 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 three flats 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. However, there is conflicting evidence before me on this matter.
10. The appellant claims that under current gas safety regulations the only route to provide safe gas supplies to the three flats is through the front elevation, and that new internal gas pipes would not meet the relevant regulations. On the other hand evidence has been submitted by a resident of the adjacent property, No 26, which has also been converted into three flats, suggesting that such internal pipework is possible. Internal gas pipes were installed around the same time to serve the three flats in that property, presumably meeting the necessary regulations.
11. Given this conflicting evidence, 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 am not persuaded that external gas pipes on the front elevation are absolutely

necessary to deliver gas supplies to the three flats. 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 very close to an existing downpipe and adjacent 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 breaking up historic features such as covings and skirtings, 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

