



Appeal Decision

Site visit made on 20 May 2013

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 31 May 2013

Appeal Ref: APP/Q1445/A/12/2188393

The North Laine, 27 Gloucester Place, Brighton BN1 4AA

- 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 InnBrighton Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/02497, dated 13 August 2012, was refused by notice dated 19 October 2012.
 - The development proposed is erection of glazed screens to pavement in front of existing building to create external seating area.
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Decision

1. I dismiss the appeal.

Reasons

2. The name of the premises at the time of the original application was given as 'The Gloucester', but at the time of the site inspection it was noted that the above name was displayed. It was also noted that the screens were in place at that time.
3. The premises are located within the Valley Gardens Conservation Area and adjacent to listed buildings. The main issue is therefore the effect of the proposals on the significance of these designated heritage assets. Local Plan Policies QD14, HE3 and HE6 seek respectively, extensions and alterations that are well designed, sited and detailed and take account of the spaces around buildings; to protect the setting of listed buildings; and to preserve or enhance the character and appearance of conservation areas. The National Planning Policy Framework contains guidance at section 12 on conserving and enhancing the historic environment, and Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 detail requirements with regard to the setting of listed buildings and the preservation of conservation areas.
4. The building is an attractive and prominent feature of the street and contains some features of interest at ground floor level. Immediately to the south and adjoining is the listed 26 Gloucester Place, and across Gloucester Road to the north is the listed 1A-13 St George's Place. The highway layout here is of a busy series of traffic lanes with separate bus lanes, pedestrian crossings and a significant quantity of street furniture such as signs, railings and lighting. In views approaching from the east, across the road network, the screens are not readily evident among the street furniture, particularly the highway railings.

5. However, in views approaching from the south the screens present a disruptive intrusion on the view along the footway encompassing first the distinctive façade of the church further away to the north but aligned with this approach, and secondly, on closer approach, the listed building across Gloucester Road. The screens would also harm the interest of the host building, being alien to the finishes and architectural detailing of that distinctive building.
6. On approaching from the north, facing the corner of the building, the screens would appear poorly related to the architectural features of the building and on approaching the listed building at number 26, would appear out of place and harmful to that building's setting. It does not appear to be the case, as asserted in the Council Report by the Heritage Officer, that the screen would actually be fixed to the Ionic column of the entrance portico of number 27, but its proximity detracts from the appreciation of that architectural feature.
7. The screens fail to preserve the setting of listed buildings and the character and appearance of the conservation area and hence do not satisfy the tests in the 1990 Act nor accord with the Development Plan policies on good design and detailing, and the protection of heritage assets. The harm is less than substantial, a distinction required in paragraphs 133 and 134 of the Framework, but the public benefits of the placing of the screen are considered insufficient to justify that harm. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR