



Appeal Decision

Site visit made on 24 September 2013

by **P Eggleton BSc(Hons) MRTPI**

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

Decision date: 18 October 2013

Appeal Ref: APP/Q1445/A/13/2195995

40 Western Road, Hove, East Sussex BN3 1JD

- 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 Gourmet Pizza Kitchen against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/03267 was refused by notice dated 8 January 2013.
 - The development proposed is a new shop front and fascia.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The works to modify the shop front and the fascia have been undertaken. Photographs of the property, before it was modified, have been provided. The property lies within the Brunswick Town Conservation Area which is characterised by the formality and order of the street layout but also the traditional period designs of many of the properties.
 4. The original shop fascia sat immediately above the windows. The return fascia extended only the depth of the side window and terminated at a small corbel. It neatly joined the front fascia at the corner above the recessed door. The detailing around the edges of the fascia reduced its perceived overall scale and provided a more limited area for signage.
 5. The new fascia is higher to accommodate the canopy housing. Whilst I do not have measurements of the former frontage, the unrelieved design of the new fascia results in it appearing significantly larger. Unlike the former fascia, which appeared as an integral part of the shop front design, the new fascia appears as a substantial addition, imposed onto the front of the property. It has a very poor junction and relationship with the side facing fascia. This extends beyond the position of the former corbel, which has been removed.
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6. The works have resulted in the loss of important features within this shop front. The new facia is entirely at odds with the former character of the property. The side and front facing facia do not sit satisfactorily together and the design increases the prominence of this corner element. I find these works to be entirely unsympathetic to the character and appearance of the property.
7. The shop front was formerly characterised by the two large windowpanes and there was a similar window to the side. It appears that the joinery had a narrow profile which emphasised the scale of the main panes. The new joinery detailing is entirely at odds with the former design. The scale of the timber surrounds dominates the new openings. The front door, which has been retained, contrasts starkly with the appearance and character of the new works. The area above the windows is of particularly poor quality and is devoid of design interest.
8. It is important that the building functions well and provides good quality accommodation. I do not share the Council's concerns with regard to the introduction of full height openings as these clearly have benefits with regard to the operation of the premises and provide an improved environment for customers. I also see no reason why a more modern and functional approach should not be adopted. However, this development does not appear to have sought to interpret the original design in a more modern way and it has also failed to achieve a level of quality or interest that would go some way towards justifying a different approach.
9. This development has resulted in the loss of historic fabric. Whilst it may not have been in good condition, it has not been replaced. The changes introduced have failed to retain the original character of the property and have also failed to achieve a satisfactory standard of design. Both the facia changes and the shop front alterations have resulted in harm to the appearance and character of this property and have failed to preserve or enhance the character or appearance of the conservation area.
10. I find the works to be contrary to Policy HE6 of the Brighton and Hove Local Plan 2005. The public benefit of the improved function of the building does not outweigh the harm that has resulted. The works are also contrary to a number of the requirements of Policy QD10. These are set out in more detail within the Council's supplementary planning document *SPD02: Shop Front Design 2005*. The proposal has little regard to these requirements particularly as it does not retain existing features or the important characteristics of the original shop front. The design shortcomings ensure that the works do not gain support from the *National Planning Policy Framework*.
11. Reference has been made to other shop fronts that have been permitted locally. I was able to view these but I do not have any information as to their former designs. In any event, although there are some similarities with certain elements of this proposal, I did not find that they justified accepting the harm that has resulted from these works. There are other shop fronts locally that are poorly designed and have an over dominant facia. These similarly do not persuade me that I should accept this proposal as it would consolidate and increase the harm and undermine the Council's clear policies.

12. Although the appellant has suggested that the scale of the return facia could be reduced by condition, this would not overcome my overall concerns. I am satisfied that the function of the property could be improved without unacceptable harm and as such, the benefits of the development do not outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR

