
Appeal Decision

Site visit made on 17 September 2013

by Ms T L Dow BA, Dip TP, Dip UD, MRTPI

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

Decision date: 5 November 2013

Appeal Ref: APP/Q1445/A/13/2197768

Land adjacent 80 Stoneham Road, Hove, East Sussex, BH3 5HE

- 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 Mr Matthew Newbury (Newbury Developments (Brighton) Ltd) against Brighton and Hove City Council.
 - The application Ref BH2012/03504, is dated 29 October 2012.
 - The development proposed is: Proposed new development comprising eight flats over four storeys incorporating roof terraces on top floor.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Planning permission was granted for redevelopment of the site in March 2012 for seven flats over three floors. That development is well under way. Further changes to that scheme have been the subject of a separate planning permission (BH2012/03165) granted by the Council in February 2013. Those changes have been included in the appeal proposals. Therefore, the difference between the scheme with planning permission and the proposal before me comes down to the incorporation of a fourth floor to provide an additional two-bedroom flat. I have dealt with the appeal on that basis.
3. During the processing of the appeal, a Unilateral Undertaking was submitted by the appellant to secure a payment to the Council of £6,000 towards sustainable transport.

Main Issue

4. The main issue in this case is the effect of the development on the setting of the former Maynards sweet factory building and on the character and appearance of the area.

Reasons

5. Stoneham Road and the adjoining Alpine Road, which is almost opposite the appeal site, forms part of an attractive residential area, comprised predominantly of two-storey, terraced dwellings, many of which have double height bay windows on the front elevations. Stoneham Road is quite a long street but of fairly limited width, with on-street parking on

either side. The dwellings are sited quite close to the road and have small front gardens. In views towards the appeal site, an industrial unit is visible and forms a visual stop across the end of the road. The former Maynards sweet factory adjoins the appeal site, opposite Alpine Road. The development under construction on the appeal site is attached to the western wall of the former factory.

6. The former factory is an unusual and very attractive building. It has been sensitively converted and is on the Council's local list of important heritage assets. It has three storeys with a converted roof-space. In spite of its size and the traditional brick used on the front elevation, the building has a relatively lightweight appearance due to the amount of glazing on the front facade and the glazed roof. Its strident architectural detailing and size make it a dominant feature in the street scene. Despite its length, it has a balanced appearance with a strong vertical emphasis.
7. The building under construction will have a limited extent of glazing on the front facade and a bulkier, modern appearance. It has a three storey feature on the front which projects beyond the building line of the former factory and dwellings. This feature, although replacing a single storey building previously on the site, appears prominent in views from the east. The proposed additional fourth storey would be set back from the frontage of the building and would not therefore be as prominent in views as the main body of the apartment block. Nonetheless, this addition would be visible from Alpine Road in particular, and would also be seen from Stoneham Road. In the wider area, it would be seen from parts of School Road and from some of the dwellings on Marmion Road.
8. In views from Alpine Road, the fourth storey would be offset from the common boundary with the former factory but would nonetheless be juxtaposed close to the roof structure of the adjoining building. Although the roof of the fourth storey would be lower than the ridge height of the former factory and the proposed living room would be fully glazed, its flat roof design would appear overly bulky and out of keeping with the lightweight appearance of its neighbour. Despite being set back from the frontage, the additional storey would add to the overall mass of the building to an unacceptable degree. It would undermine the predominance of the former factory building in the street scene, contrary to the appellant's claims that the development would respect the massing of that building and appear subordinate. The additional floor would not appear subordinate in views of the buildings from the rear.
9. Being located to one side of the new block, the additional floor would also introduce a lack of balance to the street scene, which would conflict with the harmonious and regular design features of the former factory. Although the design would reflect some of the design details of the former factory, the additional storey would nonetheless appear inconsistent and unsympathetic in its relationship, serving to detract from the local heritage asset.
10. With regard to the area more widely, the proposed additional storey would introduce a scale of development that would be out of keeping with the predominantly residential and domestic scale of the local street scene. Its height and bulk would appear overly large and dominating in relation to the relatively limited width of the adjoining streets. The proposed

additional storey would add significantly to the overall scale of the apartment block and would be at odds with the existing and predominant two storey terraces. It would dominate the street scene in immediate views, as well as in some views from School Road and the properties on Marmion Rd. As a result the development would fail to harmonise with its surroundings, would appear out of context and would detract from the overall character and appearance of the area.

11. The appellant has referred to the appeal site being brownfield land and in a sustainable location with good public transport links, where the National Planning Policy Framework (the Framework) would support development and where site potential should be optimised. Reference has also been made to a lack of a 5 year housing supply and the benefit that would arise from the additional unit of housing to the local economy, all of which would accord with the presumption in favour of development in the Framework. The Council has offered no evidence in respect of its housing land supply. Nevertheless, the Framework makes it clear that good design is a key part of sustainable development. In addition, it seeks to ensure that development responds to local character and history and adds to the overall quality of the area. Given the impact I have identified on the local heritage asset and the character and appearance of the area, I do not consider that the points in favour of the proposals outweigh the harm that would be caused.
12. I conclude that the development would have a harmful impact on the setting of the former Maynards sweet factory building and on the character and appearance of the area. As such it would conflict with Policies QD1, QD2 and HE10 of the Brighton and Hove Local Plan 2005. Amongst other things, these policies seek to ensure that development demonstrates high standards of design, contributing positively to the environment, that it takes into account the height, scale, bulk and design of existing buildings, and that the design of proposals affecting buildings of local interest, is compatible with their character. Likewise the proposal would conflict with the requirement for good design and for development to add to the overall quality of the area, as set out in the Framework.

Other Matters

13. The appellant has stated that the scheme is financially viable and would be well maintained, thus improving the appearance of the site and the natural surveillance and the security of the area. I have also noted the appellant's points that the development would incorporate level access for wheelchairs, sensitive hard and soft landscaping and lighting, sustainable waste disposal and cycle storage, as well as be built to code 3 sustainable homes standards. However, all of these points are common to the scheme with planning permission and do not therefore weigh in favour of the additional unit. My attention has also been drawn to an existing scheme of contemporary design on the corner of Linton and Stoneham Road. However, I do not consider that scheme comparable, either in terms of its scale or in its relationship with the former factory.
14. I have had regard to the appellant's Section 106 obligation, the purpose of which is to mitigate the transport impact of the development. However, it is not necessary to consider it in detail because the appeal is being dismissed on the substantive issue.

15. A number of concerns have been expressed in letters from third parties, including from the local MP and the Briho Residents' Company on behalf of residents of the former factory. The additional issues raised include that the development would exacerbate parking issues, cause additional loss of light and sense of enclosure and lead to increased activity, noise and disturbance. However, I have no compelling reason to disagree with the Council on these points and none have therefore affected my overall conclusion.

Conclusion

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

TL Dow

INSPECTOR