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## Appeal Decision

Site visit made on 4 December 2017

by **Nicola Davies BA DipTP MRTPI**

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

Decision date: 12 December 2017

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**Appeal Ref: APP/Q1445/W/17/3182850**

**Charter Medical Centre, 88 Davigdor Road, Hove BN3 1RF**

- 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 Dr J A Condon of The Charter Medical Centre against the decision of Brighton & Hove City Council.
  - The application Ref BH2017/01802, dated 25 May 2017, was refused by notice dated 31 July 2017.
  - The development proposed is described as "*installation of 1no. temporary single storey Portakabin building to be used as additional clinical rooms. To be hired for a period of 156 weeks*".
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue raised in respect of the appeal is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. At the Davigdor Road street frontage the medical centre building is positioned back from the highway behind an access ramp and landscaping enclosed by a low wall that runs alongside the pavement. The medical centre building hosts large windows at ground floor and string course detailing within the brickwork along this street frontage elevation. Along this side of Davigdor Road I observed that the buildings are generally positioned behind landscaped frontages and this creates a sense of space between existing developments and the public highway.
4. The proposal, although single storey and smaller in overall size to that of the existing medical centre building, would nevertheless be a large structure in itself. It would occupy almost the entire length and depth of the existing landscaped frontage and obscure a significant proportion of the existing building frontage, including the ground floor windows and string course brickwork detailing. A structure of the size proposed, positioned forward of the main building, and having an elevated siting to that of the adjoining pavement, would be extremely visible. It would appear as a discordant feature that would detract from the visual appearance of this streetscene. Consequently, the proposal would harm the character and appearance of the area. This harm

- would be highly apparent in public views from the adjoining public highway and in outlook from surrounding properties.
5. I do not consider a vinyl wrap of brick appearance would overcome the visual harm or create a structure that would merge appropriately with the detailing of the existing building.
  6. I note the proposed development would not obstruct the pedestrian or vehicular highways and that level access would be provided from the existing ramp. The structure would be conveniently close to the medical centre reception and would be of thermally insulated construction that would limit noise penetration. It can also be re-used elsewhere once no longer required. The appellant suggests that the structure would deter trespassers and indicates that it would be secured when not in use. Furthermore, it would not adversely impact the living or working conditions of adjoining occupiers. Whilst these are benefits pertaining to the proposed structure, these matters do not outweigh the harm that I have identified above or justify the proposed development.
  7. I note the appellant wishes to provide clinical rooms to increase the medical care accommodation at the existing medical centre and I accept that this would assist meeting the increased demand for services at the centre. I do not doubt that the structure would provide much needed facilities and assist the centre accommodate the increased patient numbers that have arisen as a result of closure of other practices within Hove. Indeed the letters received from the NHS Brighton and Hove Clinical Commissioning Group and the chair of the Charter Medical Centre Patient Group highlight these pressures.
  8. I sympathise with appellant's circumstances and the pressures for the medical centre to accommodate increased patient numbers at a site that hosts limited opportunity to physically expand. However, the proposed development would cause significant visual harm to this streetscene and this harm would be apparent for a period 3 years (156 weeks). I do not consider that this visual harm is outweighed by the appellant's particular circumstances in this case or that the proposal would be justified by the short-term medical service benefits to the local community.
  9. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposed development would be contrary to Policy CP12 of the Brighton and Hove City Plan and Policy QD14 of the Brighton and Hove Local Plan that, amongst other matters, require development to be well designed, sited and detailed and to respect adjoining properties and the surrounding area.

### **Conclusion**

10. Having regard to the above findings, the appeal should be dismissed.

*Nicola Davies*

INSPECTOR