



Appeal Decision

Site visit made on 24 August 2010

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

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Decision date:
1 September 2010

Appeal Ref: APP/Q1445/D/10/2130866
French Protestant Church of Brighton, Queensbury Mews, Brighton
BN1 2FE

- 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 Haydn Hughes against the decision of Brighton & Hove City Council.
- The application Ref BH2010/00839, dated 24 March 2010, was refused by notice dated 24 May 2010.
- The development proposed is a two storey extension and roof terrace.

Decision

1. I dismiss the appeal.

Main Issues

2. The main issues are:
 - a) Whether the proposed development would preserve or enhance the character or appearance of the Regency Square Conservation Area;
 - b) The effects of the proposed roof terrace on the living conditions of occupiers of adjoining properties with particular reference to overlooking.

Reasons

Character and appearance

3. The Former French Protestant Church is a delightful example of a small 19th century church with well-proportioned features including a steeple, a five sided apse, a steeply sloping slate roof, an attractive main entrance and numerous stain glass windows. It has recently been tastefully converted internally into a residential dwelling whilst retaining its external appearance from the surrounding streets.
4. It is located on an island site adjacent to the Metropole Hotel and its exhibition hall to the east and north. The church's northern and eastern elevations are blank rendered façades indicating where it abutted previous development. However, in my view, its attractive southern and western elevations are important elements of this part of the Conservation Area, which is otherwise dominated by the large brick walls and façades of the hotel. The steeple, main roof and apse are visible from Queensbury Mews and their steep slopes create a visual link between the mass of the hotel and the street.

5. The proposal is for a two storey extension and roof terrace on the northern elevation. The walls which currently enclose the courtyard on the northern and eastern side of the site would be increased in height creating two box shaped additions using a significant amount of glazing. These would virtually obliterate views of the apse and would detract from the shape of the roof making the northern elevation appear lop-sided. The blank façade of the eastern elevation would be extended in width and height so that it would protrude above the coping of the existing building. The increased size of these walls and the shape of the extension would appear as an incongruous, bulky addition which would detract from the original features and architectural interest of the host building. The western elevation would include large areas of glazing. However, their size and shape would not relate well to the church with its steeply pitched roof, nor appear as a subservient addition to it.
6. I acknowledge that designing a contemporary extension to this unique building, which is on a very constrained site, presents significant challenges. However, I consider that the appeal proposal would dominate the original building detracting from its character, appearance and visual charm. For these reasons I conclude that the proposed extension would be harmful to the character and appearance of the host property and the Regency Square Conservation Area, contrary to saved Policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan. These policies all require high standards of design that respect the scale, character and features of existing buildings and their setting, especially in areas protected for their historic interest.

Living conditions

7. The first and second floor terraces of the proposed extension would face west. The building immediately opposite does not have windows in this elevation and has a garage at ground level; other windows which look onto Queensbury Mews are further away. In my view that the extension would not give rise to any harmful overlooking of them. On the eastern side of the proposed second floor terrace there would be a wall and it seems more likely to me that occupants would look westwards rather than towards the hotel. I agree with the suggestion that, if the proposal was otherwise acceptable, a condition to provide adequate screening would ensure that there was no harmful overlooking towards hotel rooms on the lower floors. I conclude that the proposed extension would not give rise to overlooking which would be harmful the living conditions of occupants of surrounding buildings. In this respect the proposal would comply with saved Policy QD14 of the Local Plan which seeks to protect residential amenity.

Conclusions

8. I understand that the appellant wishes to increase the size of his home, providing more natural light and an outside amenity space. However, although I have found there would be no harm to the living conditions of neighbours I have concluded that the character and appearance of the building and the Conservation Area would be harmed. For this reason and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR