



---

# Appeal Decision

Site visit made on 15 April 2011

**by David Prentis BA BPI MRTPI**

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

**Decision date: 21 April 2011**

---

**Appeal Ref: APP/Q1445/E/10/2143187**  
**92 Montpelier Road, Brighton BN1 3BE**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mrs Linda Holland against the decision of Brighton & Hove City Council.
  - The application Ref BH2010/00182, dated 4 January 2010, was refused by notice dated 24 June 2010.
  - The works proposed are the installation of double glazing to two 1<sup>st</sup> floor windows at the front of the house.
- 

## Decision

1. The appeal is dismissed.

## Preliminary matter

2. The above description of the proposed works is a shorter version of the description set out in the application form. Nevertheless, I have taken account of the whole of the original description which includes the appellant's justification for the works.

## Main issue

3. The main issue is the effect of the proposed works on the special interest of the listed building and its setting within the Montpelier and Cliftonhill Conservation Area.

## Reasons

4. Nos 91 to 96 Montpelier Road comprise 3 pairs of matching villas dating from around 1830. The listing description identifies the 6 properties as a group and I consider that they have a group value which adds to their individual significance.
5. The age of the existing sash windows is not known although the Council and the appellant agree that they are unlikely to be original. The appearance of the sashes suggests that they may date from the later 19<sup>th</sup> century. Even so, the pattern of the windows is consistent with several others within the group. The existing windows are therefore a feature which contributes to the significance of the listed building and the group as a whole.
6. The appellant proposes that the new windows frames would replicate the joinery details of the lower ground floor windows, which are thought to be

- original. Nevertheless, the proposed double glazed units would be an obvious modern intervention which would be out of character. Whilst the appellant suggests that the alteration would not be visible from ground level, I consider that it is likely that the change would be apparent from the street. The double glazed units would affect the appearance of the glazing bars and would also have a different tone and reflectivity.
7. The application includes manufacturer's details of reproduction crown glass which, it is suggested, could improve the appearance of the windows. However, the double glazed units would still be seen as a modern addition.
  8. The appellant seeks to improve thermal insulation and reduce noise. Whilst those objectives are understandable, there is no evidence that alternative solutions have been investigated. Moreover, I saw that traditional single glazed sliding sash windows are typical of the conservation area. There is no reason to think that circumstances at the appeal property are materially different to those found at many similar properties in the locality.
  9. Planning Policy Statement 5: *Planning for the Historic Environment* (PPS5) states that there should be a presumption in favour of the conservation of designated heritage assets. Significance can be harmed or lost through alterations. In this case I conclude that the proposed works would fail to preserve the special interest of the listed building. The significance of the listed building, and the significance of the group of which it forms a part, would be harmed. There would also be harm to the character and appearance of the conservation area. In addition, the proposal would be contrary to Brighton and Hove Local Plan 2005 Policy HE1 which seeks to protect the architectural and historic character of listed buildings.
  10. Having regard to the advice of PPS5, I consider that the harm to the listed building and conservation area would be less than "substantial harm". In these circumstances, Policy HE9.4 requires the harm to be balanced against any benefits of the proposals. I take account of potential benefits to noise reduction and energy efficiency, and the consequent reduction in carbon emissions, but these factors are not sufficient to outweigh the harm that would be caused.
  11. I have considered all other matters raised but find nothing to alter my conclusions. The appeal should not therefore be allowed.

*David Prentis*

Inspector