The Planning Inspectorate

Appeal Decision

Site visit made on 8 June 2011

by Bill Munday BTP MRTPI MRICS

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

Decision date: 27 June 2011

Appeal Ref: APP/Q1445/A/11/2145577/NWF
Elm Stores, 82 Elm Drive, Hove, East Sussex BN3 7JL

- 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 Miss Nada Meckael against the decision of Brighton and Hove City Council.
- The application Ref. BH2010/00935, dated 28 June 2010, was refused by notice dated 16 August 2010.
- The development proposed is change to shopfront; remove two windows and replace by pvc windows and sliding door.

Decision

1. The appeal is dismissed. I have taken account of the views of local residents and other interested parties in reaching this decision.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property, the building group of which it forms part and the surrounding area.

Reasons

3. At the time of my site visit, the alterations to the premises had taken place, broadly in accordance with the application drawings. However, although not shown on the application drawings, I noted that a blind box has been fixed to one side of the upper part of the fascia.

4. The appeal site is the end unit of a parade of shops with, apparently, residential accommodation above. The parade has been designed as a whole and whilst there have been some alterations to other shopfronts, there remains significant uniformity in the features of the parade. In several respects, I consider the alterations to the shopfront which have taken place have had little regard to the architectural features of the parade as a whole. In particular, the full height doors and glazing are out of keeping with the other units in the parade where stallrisers have been retained. I also consider that the board which has been applied to the fascia does not relate satisfactorily to the width, depth or alignment of the original fascia, or the area of glazing beneath it, or the width of the shop unit as a whole.

5. I note that the appellant has submitted copies of customer comments about the development, some of which indicate benefits which arise from easy access for elderly and disabled people and people with pushchairs. However, I consider that satisfactory provision for level access could have been achieved within a more sympathetic overall design, and these considerations do not therefore alter my views as to the design merits of the proposal.

6. In so far as the proposal, in my assessment, fails to respect the style, proportions and detailing of the parade as a whole, it conflicts with Policy QD10 of the Brighton and Hove Local Plan 2005. The Council has adopted, following public consultation, the Supplementary Planning Document "Shop Front Design" (spd 02), and as such I attach significant weight to it. This indicates that, where uniformity is apparent in a parade, the Council will seek to ensure that a similar degree of uniformity would be maintained in replacement shopfronts. For reasons explained above, I consider the proposal fails to achieve this objective.

7. I accept that the site is not in a conservation area, and it is not apparent that the parade has any particular historic significance. However, this does not justify development which is unsympathetic to its setting. Planning Policy Statement 1: Delivering Sustainable Development states that development which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. I conclude on the main issue that the development detracts unacceptably from the character and appearance of the appeal property, the parade of which it forms part, and the surrounding area.

8. I have taken all other matters which have been raised into account. For the reasons given above, I conclude that the appeal should be dismissed.

W D Munday

INSPECTOR