



Appeal Decision

Site visit made on 29 April 2014

by **P Jarvis Bsc (Hons) DipTP MRTPI**

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

Decision date: 8 May 2014

Appeal Ref: APP/Q1445/D/14/2215743
10 Princes Crescent, Hove, BN3 4GS

- 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 Stuart Forbes against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/04233 was refused by notice dated 18 February 2014.
 - The development is the construction of a vehicle crossover to access a proposed, off road, vehicle parking area on the right hand side of the front of a detached property and alterations to the existing front wall.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a vehicle crossover to access a proposed off road vehicle parking area on the right had side of a detached property and alterations to the existing front wall in accordance with the terms of application ref: BH2013/04233 dated 9 December 2013 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan, 1:500 block plan, drawing no: 804/5 (existing layout and elevation and proposed layout and elevation).
 - 3) No development shall take place until full details of the new gates, to include height, spacing and dimensions of the railings, and samples of the materials to be used in the external surfaces of the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Main issue

2. The main issue is the effect on the character and appearance of the Pembroke and Princes Conservation Area.

Reasons

3. Princes Crescent is characterised by large detached houses, mainly inter-war, with tiled, steeply pitched, hipped roofs and brick and render elevations, some with half-timbering and some with tile hanging. They are generally set within relatively spacious plots with pleasant 'green' front gardens. The wider

- conservation area contains similar detached properties, with some older Victorian and Edwardian properties in the northern part.
4. Most of the properties within the immediate streetscene of the appeal site have accesses with drives and parking areas. The extent to which what were probably the original front gardens have been given over to hardstanding varies, but most retain an element of lawn or flower beds contained behind a mixture of old and new front boundary walls, gates and railings. The appeal property appears to be the only one in the row that has retained its original front garden area enclosed by a dwarf brick wall with railings above. Currently there are pedestrian gates only, one in the centre and another to the right side.
 5. It is my view that whilst there would be some disruption to the existing front boundary and the loss of a small section of railings, the existing side pedestrian gate and part of the existing garden consisting of raised flower beds, given that the majority of it would be retained together with the majority of the front railings, its attractive 'green' appearance and distinctive character would not be significantly diminished.
 6. The street scene contains a mixture of front boundary treatments, in which walling predominates. The section to be removed would be replaced with a new pillar and gates, the details of which could be approved through the imposition of a condition thus ensuring that they would be an appropriate match and preserve the character and appearance of the area. For the same reason samples of the materials to be used in the new drive should also be submitted for approval.
 7. The introduction of parked cars to the front of the property would also result in some change. However, they would be sited to one side of the frontage only and at what would appear to be a slightly lower level than the main garden area and as such would not in my view have a harmful impact, particularly in the context of the established street scene. I consider that the remaining garden area would continue to make a significant contribution to the homogenous character of the area which the Pembroke and Princes Conservation Area Character Statement identifies and seeks to preserve or enhance.
 8. Subject to the above, I find that the proposal would preserve the character and appearance of the Pembroke and Princes Conservation Area. It would thus accord with Policies QD14 and HE6 of the Brighton and Hove Local Plan (2006) which require proposals to preserve or enhance the character or appearance of the area and show a consistently high standard of design and detailing reflecting the character of the area including the retention and protection of gardens and other open areas which contribute to its character or appearance. It would also satisfy the guidance in the Architectural Features Supplementary Planning Document (2009) which seeks to retain original railings, particularly where they are a common feature in the streetscene and that new ones should match their design, height, spacing and dimensions.

Other matters

9. I find no conflict with the National Planning Policy Framework and conclude that the heritage asset would be conserved in a manner appropriate to its significance. The content of the Planning Practice Guidance has also been considered but does not alter my conclusions.

10. I note that the Highway Authority advises that the proposal would necessitate the removal of an on-street parking bay but this would be dealt with under other necessary consents.
11. In addition to the above conditions regarding the submission of materials, a condition to refer to the approved plans is necessary in the interests of proper planning and for the avoidance of doubt.

Conclusion

12. I conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR