



Appeal Decision

Site visit made on 21 January 2009

by **D J Mumford BA MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
26 January 2009

Appeal Ref: APP/Q1445/A/08/2082141

Trafalgar News, 95 Trafalgar Street, Brighton BN1 4ER

- 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 Bank Machine Ltd against the decision of Brighton & Hove City Council.
- The application Ref BH2007/04623, dated 19 December 2007, was refused by notice dated 28 April 2008.
- The development proposed is installation of an automated teller machine.

Decision

1. I dismiss the appeal.

Main issue

2. From my inspection of the site and surroundings and from the written representations made, I consider that the main issue in this case is the effect of the machine on the appearance of the shopfront and whether this preserves or enhances the character and appearance of the North Laine Conservation Area.

Reasons

3. The appeal site comprises a shop with two storeys of flats above, in a terrace of similar properties on the north side of Trafalgar Street, and in the North Laine Conservation Area. The Council have not provided an assessment of the special character of the conservation area but I saw that it is a generally residential and commercial area of 2 and 3 storey buildings of Victorian origin, though with some modern but sympathetic redevelopment. The shop fronts in Trafalgar Street are mostly of traditional appearance, with modest sized windows and painted timber frames.
4. The teller machine has already been installed within a white-painted boarded part of the shopfront. The remainder of the shop front is of glass and the whole is set within metal frames of silver colour. To my mind the shopfront is quite ugly and is a jarring and discordant element within the street scene. It adds nothing to the quality of the conservation area.
5. The plan shows that the machine would be set in a stainless steel frame, and within a glazed eastern half of the shopfront, which itself would be formed of four separate sheets of glass with silicone joints. This arrangement might be acceptable in a different context, but I consider that it would be inappropriate in this position. This is because of the traditional and pleasing character of

most of the shopfronts in the street, and the coherent Victorian appearance of the conservation area. The contemporary style of the proposal and the use of silicone jointing (rather than timber framing) would be quite alien to this appearance and so be unacceptable.

6. I consider therefore that the machine would harm the appearance of the shopfront because of the associated glazing, and consequently would not preserve or enhance the character and appearance of the North Laine Conservation Area. It would also conflict with Local Plan policies QD5 and QD10 which together seek good design in shopfronts, and policy HE6 which requires development in conservation areas to respect local character and appearance.
7. I appreciate that there is a demand for a cash machine facility in this location, and saw that it was used during my site visit in mid-morning. However, I consider that this demand does not outweigh the harm caused, because the machine could be provided within a shopfront of better design.

Conclusions

8. For the reasons given above I conclude that the appeal should be dismissed.

D J Mumford

INSPECTOR