Planning Appeal Statement by the Round Hill Society

Appeal against Refusal of Application BH2025/00732

Address: 1 Mayo Road, Round Hill

Proposal: Erection of a new two-storey dwelling (Use Class C3) to the side of the

existing property and alterations to the existing rear extension.

Appeal by: Mr Roy Pook

September 2025



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1. Introduction

This statement addresses the grounds of appeal submitted by the applicant in relation to the refusal of planning application BH2025/00732. The application was refused on heritage and design grounds, with particular reference to the adverse impact on the Round Hill Conservation Area, a designated heritage asset, and its associated characteristics as defined in the adopted and draft character statements.

The appellant argues that the scheme would cause "less than substantial harm" and that the reconfiguration of the side extension would amount to an enhancement that offsets any adverse impacts.

The appellant also contends that the scheme would deliver wider public benefits through the provision of an additional dwelling. This argument is framed within the context of the appellant's assertion that the Council is unable to demonstrate a five-year supply of deliverable housing land.

This statement demonstrates that the claimed benefits are overstated, the assessment of harm is flawed, and that the proposals result in unjustified heritage harm contrary to local and national planning policy.

2. Preliminary matters

Heritage assets

There are three heritage assets affected:

- Round Hill Conservation Area (a Designated Heritage Asset).
- Locally listed streetlamp opposite (non-designated heritage asset). The applicant's heritage statement omits reference to the lamp post.
- The draft Roundhill Character Statement (prepared by the Round Hill Society) identifies the property as 'contributing to the area'. On this basis the property may be considered a non-designated heritage asset.

In addition, part of the tree belt opposite is protected by a Tree Preservation Order (TPO) and can be regarded as a designated asset, given its contribution to public amenity and to the character of the conservation area.

Site levels

Comparing the existing and proposed drawings indicates that the sloping rear garden will be excavated to a depth of approximately 1m immediately adjacent to the flank wall of properties on Prince's Road. The as-existing elevation/sections suggest a garden party boundary wall when it is not clear any such wall exists, and the wall shown may be at (or very near) the position of the flank wall of the adjacent house. These matters can be resolved during the site visit.

¹ Section B Building Chapter 5, Figure 9 'Positive Contributors'.

The proposed excavation and likely need for a retaining wall comprise engineering operations requiring express planning permission and the description of development should be amended accordingly.

History

1 Mayo Road was built by Scrace and German*2 in 1879.

Property address and the principal elevation

The application site is formally addressed as No. 1 Mayo Road. However, this is misleading in planning terms, as the property's principal elevation and main entrance face Prince's Road, with no gate or entrance provided on Mayo Road. The appellant has sought to present the scheme as a side extension, treating Mayo Road as the primary frontage—an approach reflected in an inaccurate and potentially misleading description of development. For planning purposes, however, the proposals should properly be regarded as a front extension facing a highway and therefore subject to the more stringent policy considerations that apply to principal elevations within a conservation area. For example, SPD 'Updated Design Guide for Extensions and Alterations' January 2020 Section A (fifth bullet):

"The front elevation and other parts of the property visible from the street are normally more sensitive to change than other parts of the property that are not visible."

And Part 4- Front extensions (first bullet):

"All front extensions should respect the building line to the street, particularly where a strongly defined building line forms an important character of the area."

Existing drawings

The submitted *as-existing* elevation drawing for Prince's Road omits several important surviving architectural details. For example, the pilaster capitals and the keystone to the ground-floor right-hand window remain intact but are not recorded. The Inspector is therefore invited, at the site visit, to give close attention to the Prince's Road elevation, which retains a greater degree of historic detail and integrity than the applicant's drawings suggest.

Conservation Area Appraisal

Reference is made to both the Adopted Statement by the Council (2005) and the recently produced character appraisal undertake by the Round Hill Society. The Society's appraisal comprises an up-to-date appraisal of the area and has been produced to both inform a future revision of the Council's statement and contribute towards the evidence gathering stages of a future Neighbourhood Plan.

² See https://www.brightonhistory.org.uk/architects/architects_g.html - Hector German (1852-1933) built 9-27, 39-53 Princes Road (1878), 18,20,22,24,58-76 (even) Princes Road (1879) and 26-32 (even) Princes Road (1882) as well as 1-5 and 6 Mayo Road (1879, 1881)"

The Inspector is invited to give the Society's Statement some planning weight. The four-part appraisal is currently available on line for consultation purposes -3 and can be submitted as a PDF on request.

3. Disruption of the Building Line

The proposal would extend forward of the established building line along Prince's Road. The adopted Round Hill Conservation Area Character Statement emphasises the importance of the consistent stepped terrace and its associated rhythm of front gardens and boundary treatments.

Concerning Prince's Crescent, Crescent Road, and Prince's Road, the adopted Character Statement finds that (our emphasis in **bold**):

"Of special note are ... the **continuity of the street frontages**, made up principally of terraced housing from the 1880s."

Specifically concerning Prince's Road:

"Equally important to the shape of Round Hill is the stepped terrace and **building line** along the north side of Princes Road. This is softened by the lines of trees which mark the junction of the former Kemp Town branch railway line." (our emphasis in **bold**)

Interruption of this frontage constitutes visual intrusion, contrary to the NPPF (2023) para. 212, which requires development to preserve or enhance the character and appearance of conservation areas.

The adopted SPD provides further clarity:

"All front extensions should **respect the building line to the street**, particularly where a strongly defined building line forms an important character of the area."

4. Loss of Openness

The adopted Character Statement highlights the significance of front gardens in creating a sense of openness in an area otherwise lacking public open space (our emphasis in bold).

"All of these houses (in Prince's Road) have small front gardens with shrubs and planting, which **softens the outline of the buildings** and the front boundary walls."

"Some of the houses in Prince's Road have slightly larger front gardens, and these have small trees and shrubbery which soften the views northwards towards Mayo Road."

The new dwelling would substantially reduce the depth of garden space and erode this important spatial quality. This directly conflicts with Policy DM21 (Brighton & Hove City Plan Part 2), which seeks to retain important open areas that contribute to character.

³ https://roundhill.org.uk/main?sec=planning&p=Conservation Area Character Statement



Figure 1. There is an established building line along Prince's Road with generous front gardens contributing to and open character and complemented by the band of trees (subject to a TPO).

5. Impact on Views

The site contributes to long-range views across the Lewes Road valley towards the South Downs National Park, another designated heritage asset.

The proposal would obstruct or diminish these views, undermining the special character of Round Hill described in the Character Statement as "notable for its hilly siting with long terraces of houses framing distant views." The appellant's reliance on Google Streetview imagery is methodologically flawed and does not represent an accurate assessment of visual impact.

The appellant's original submission claimed no views of the open fields along the hilltops will be obtained from the lower (northern) end of Prince's Road and in front of the property. However, site photographs demonstrate this is not the case.

The applicant's CGI images (and likely assessment) rely upon form Google Earth/ Streetview images, which are distorted by the fact the camera is located above normal eye height and placed on top of a car travelling down one side of the street.

Views of industrial units

The appellant contends that glimpsed views of the low-rise industrial units situated downslope, below the level of Mayo Road, constitute visual harm to the setting of the conservation area and that this alleged harm would be remedied by the proposed development. This assertion is not supported by a fair or balanced assessment of the existing townscape.

In reality, views of these industrial buildings are both limited and heavily filtered by existing boundary treatments, including fencing and established planting at the lower end of Princes Road. When considered from vantage points further upslope along Princes Road, the units recede into the background and do not present as significant or visually intrusive features. Their presence cannot reasonably be described as prominent or harmful, given that they form part of the wider urban fabric in the middle ground of the view.

By contrast, the focal point of these views is directed upwards towards the skyline and the Downs beyond, which remain the dominant visual and contextual elements of the conservation area. Consequently, the claim that the proposed development would provide a visual enhancement by screening industrial units is unfounded and misrepresents the actual visual experience of the area.

Visual impact assessment

A separate visual impact assessment has been undertaken from the vantage point directly opposite the appeal site, looking northwards. This is appended to this Statement. This assessment, presented in the attached PDF, illustrates the likely visual effects of the proposed development and provides an evidence-based comparison with the existing situation based on street-level photographs.



Figure 2. View from Prince's Road across the Lewes Road valley towards the Moulsecoomb ridge and the South Downs National Park. Note that the low-rise industrial units comprise a small and visually inconsequential element in the view -and the appeal scheme would in any case fail to mask them.



Figure 3. The existing extension, by virtue of its scale, position and appearance- and the effect of front garden shrub planting - is visually recessive.

6. Misrepresentation of Existing Extension

The appellant contends that the existing side extension is unsightly and that its redevelopment constitutes an enhancement. This assertion is incorrect. The extension retains detailing consistent with the host building including channelled stucco to the ground floor, stucco pilasters and string course and scoring to resemble ashlar. The existing extension is in fact highly detailed in comparison with many side and rear extensions in the area.

The apparent harm arises from maintenance neglect (e.g. unpainted render, lack of a coping to the parapet wall, poor boundary condition⁴), which is not a legitimate basis for demolition or redevelopment under conservation policy. The NPPF (para. 209) makes clear that deliberate neglect should not weigh in favour of redevelopment proposals.

The existing side extension, by virtue of its modest scale and recessed position, is visually unobtrusive within the street scene. It's impact is further reduced by front garden shrub planting. Even if the appellant's claims regarding its unsightliness were accepted, such a condition does not amount to harm to the character or appearance of the conservation area.

The issues identified are attributable to a lack of routine maintenance rather than to inherent design flaws. Undertaking straightforward repair and redecoration works would be sufficient to restore and enhance its visual contribution without the need for demolition or significant alteration.

7. Loss of Historic Fabric and Detailing

The scheme proposes the loss of finely detailed original elements including:

- The windows have architraves and cill shelves supported by brackets/corbels in the form of clam shells.
- Projecting canopied entrance porch framed by paneled pilasters.
- Keystone to windows and doorway with 'vermiculated' detail.
- Two-storey corner pilasters with capitals (in place of quoining) framing the main elevation and the side extension.
- Eaves brackets with string course below.

These elements would be replaced with simplified replicas of unknown quality. The existing façade is a balanced composition centred upon the entrance door (albeit two windows are 'blind windows', which may be original).

The submitted drawings lack sufficient articulation and are inconsistent with existing historic features. This results in cumulative harm to the architectural integrity of the host property and undermines the character of the conservation area, contrary to Policy DM26 (Brighton & Hove City Plan Part 2).

⁴ The front and side boundary walls have been recently repainted whilst the extension remains neglected.

The appellant asserts that the ground and first-floor windows on the right-hand side of the Prince's Road elevation were infilled at a later date and that this causes harm. No evidence has been submitted to substantiate this claim. Blind windows are, in fact, a well-established and characteristic feature of the conservation area. Even if the infilling occurred subsequently, the resulting appearance remains consistent with, and sympathetic to, the historic character of the area.

8. Historic Structure and Estate Plan

Round Hill is historically significant as a partially implemented 1853 masterplan by the Conservative Land Society. The survival of its distinctive form contributes to the conservation area's heritage value. No. 1 Mayo Road is a key part of this pattern, and the proposed development would erode evidence of the original plan form, a matter recognised in the draft Conservation Area Appraisal.



Figure 4. The Conservative Land Society masterplan of 1853 overlaid upon a later OS Plan showing how the existing appeal site house and generous front garden facing on to Prince's Road corresponds to a remarkable degree with the original plan. (Extract from the Round Hill Society's Draft Character Appraisal).

The existing dwelling remains closely aligned with the original estate plan, which clearly indicates that the principal frontage was intended to address Prince's Road, with Mayo Road functioning in a subordinate capacity as a secondary street.

9. Examples of corner site development forward of the established building line

The Appellants (paras. 6.17–6.18) argue that corner sites may be developed to project forward of the established building line. In support, they rely on both national and local design guidance (addressed elsewhere in this Statement) and cite an example at Ashdown Road within the Round Hill Conservation Area.

Several points are material.

First, the corner buildings at Round Hill Crescent and Ashdown Road are not part of the originally planned crescent, substantial portions of which survive and are now listed at Grade II. As Figure 4 (above) illustrates, Ashdown Road did not form part of the 1853 Conservative Land Society masterplan but was introduced later. By contrast, the appeal site complies with the masterplan, and its existing corner form therefore carries greater heritage significance.

Secondly, the Appellant's own photographic evidence demonstrates that at Ashdown Road the building line does not obstruct long-range views towards the surrounding hills. The situation at the appeal site is entirely different: the proposed forward projection would intrude into and diminish these valued views, contrary to the adopted Round Hill Conservation Area Character Statement.

Thirdly, the street hierarchy differs markedly. At Ashdown Road, the modest projection—significantly smaller in scale than that now proposed—occurs on a secondary street, while the primary frontage with its wider gardens along Round Hill Crescent remains intact. At the appeal site, by contrast, Prince's Road is the principal street (longer front gardens) and Mayo Road (narrower front gardens) is secondary. The proposed forward projection would therefore intrude upon the primary Prince's Road frontage, compounding the level of harm.

Finally, the townscape composition at Ashdown Road is fundamentally different, being defined by paired "bookend" buildings that mark the corner and provide a deliberate architectural balance at the 'T' junction. By contrast, at the appeal site, development occurs only on one side of Prince's Road, there is no 'T' junction, but with a substantial tree screen—partly or wholly protected by a Tree Preservation Order—occupying the opposite side. There is therefore no equivalent "bookend" to balance the corner. Instead, the appeal site forms part of an entirely different townscape composition with the Prince's Road properties consistently set back behind verdant front gardens. The proposed forward projection would break this rhythm, undermining both the sense of enclosure and the carefully balanced composition of the terrace. In doing so, it would also intrude into and diminish long views towards the South Downs National Park, a designated landscape of the highest national significance.

10. National design guidance on corner building development

At appeal stage, the appellant introduces a new line of argument that was not advanced in the original submission, drawing upon both SPD17 (Brighton & Hove City Council) and national design guidance.

It is first necessary to note that SPD17, paragraph 1.3, quoted by the appellant, sets out as a core design priority the need to reference and respect established building lines (our emphasis in bold):

"Design Priorities considered when preparing proposals include (first bullet) Referencing existing building lines..." (BHCC SPD17, para. 1.3).

This principle, taken alone, provides a clear reason to resist the appeal proposal, which projects forward of the established building line along Prince's Road.

The appellant also relies upon the superseded national design guidance *By Design*, drawing particular attention to the diagram captioned "Perimeter blocks can work at any scale".

Of the four perimeter block forms illustrated, the appropriate comparator for the Round Hill context is the "Terrace" example. This diagram shows unequivocally that buildings may successfully "turn the corner" without stepping forward of the building line. This is precisely the situation at the appeal site, where the host property and its rear extension already address the corner in a manner wholly consistent with the surrounding terrace form.

The appellant further highlights text from *By Design*, emphasised in their submission by a red box (our emphasis in *bold*):

"...without interrupting the continuous building line around the block's perimeter."

Far from justifying the appeal scheme, this passage reinforces the case against it by underlining the importance of retaining the continuous building line.

The appellant also refers to the National Design Guide (2019, updated 2021), specifically Section B2: *Appropriate Building Types and Forms*, which states (our emphasis in *bold*):

"Street types will depend on: (second bullet) the height of the buildings and **the** consistency of their building line in relation to the street itself, and the sense of enclosure that results."

The appeal scheme is inconsistent with this principle. By projecting forward of the established line, it undermines the sense of rhythm and enclosure that defines Prince's Road and, in doing so, disrupts the identity and character of the Round Hill Conservation Area.

Accordingly, the appellant has misinterpreted and misapplied both local and national guidance. Far from lending support to redevelopment, the cited documents in fact highlight the appropriateness of the existing arrangement and the harm that would result from introducing a forward projection.

11. Housing supply

The officer's report confirms the council's most recent housing land supply position is published in the SHLAA Update 2024 which shows a five-year housing supply shortfall of 10,643. This is equivalent to 1.4 years of housing supply.

As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the (paras.11, 215 and 216).

The provision of one dwelling would make a very minor contribution to the city's housing supply and should be given increased weight in the planning balance. However, while the shortfall indicates that delivering additional housing is desirable, it does not override the need to preserve designated heritage assets or justify otherwise harmful development. The NPPF (2024), Paragraph 11(d)allows for flexible application of policy where a five-year supply cannot be demonstrated—but only where the harms do not significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, including heritage provisions.

The scheme's contribution to housing supply offers limited public. Crucially, this marginal benefit does not outweigh the identified harm to the Round Hill Conservation Area, including loss of character, views, and architectural detail. The proposal therefore remains contrary to City Plan policies and NPPF heritage tests.

12. Listed buildings

At paragraph 6.8, the appellant asserts that there are no listed buildings in the vicinity of the application site. This statement is factually incorrect. The historic lamp post located immediately opposite the site is included on the Council's local list and constitutes a non-designated heritage asset.

While it is accepted that the proposed development would not give rise to direct harm to this asset, the omission is nonetheless relevant. The listed lamp post contributes to group value and raises the overall sensitivity of the immediate setting (including the visual amenity of the tree belt subject to a TPO). The omission by the appellant highlights the limited scope of the appellant's original Heritage Statement and demonstrates a lack of due diligence in assessing the heritage context. These deficiencies have been carried through into the appeal statement, resulting in several further errors and misjudgements.

13. Flawed Heritage Justification

At the application stage, the appellant acknowledged that the proposals would result in "less than substantial harm" but nonetheless argued that the overall effect should be regarded as neutral or even beneficial, primarily by reference to the treatment of the side extension.

This line of reasoning represented a misapplication of the NPPF (2024, paragraph 208) balancing test. The supposed "enhancement" relied in part on addressing issues of neglect and in part on unsubstantiated claims of design quality and heritage value. Such an approach was procedurally flawed, since the correction of neglect cannot properly be weighed as public benefit, and it was also unsupported by the available evidence, which failed to demonstrate any genuine design-led improvements. The correct application of policy therefore leads—and continues to lead—to the conclusion that the balance of considerations falls decisively against the scheme.

In response to the Local Planning Authority's reasons for refusal, the appellant has now revised and expanded their heritage assessment. This introduces four additional strands of argument:

Alleged visual harm from industrial roofs

The appellant now contends that views of industrial unit roofs to the north, beyond the conservation area, cause visual harm to its setting, and that the proposed development would screen these views, thereby enhancing the setting and reducing harm. This reasoning is deeply flawed. As we have outlined in chapter five above, the industrial roofs are only visible in a limited number of locations, are frequently filtered by fencing and vegetation in closer views and are not prominent or intrusive features. They sit within the wider urban townscape of the middle ground and do not detract from the key focal points of the views, namely the South Downs and the terraced houses climbing the slopes towards them. Crucially, the proposed development would not materially alter these relationships. The units would remain screened or visually recessive, while the new building would itself interrupt and occlude valued views towards the Downs. The appellant's logic is therefore unsound and misconceived.

Reference to national design guidance

The appellant now seeks to argue that the proposal accords with national design guidance by virtue of the way in which the building addresses the corner of Mayo Road and Princes Road. This assertion is unconvincing. As already outlined in chapter ten above, simply occupying a corner site does not equate to design quality or compliance with national guidance. The proposed dwelling introduces bulk and form that disrupt the established building line and pattern of openness, in direct conflict with the character of the conservation area.

Expanded claims regarding housing supply

Finally, the appellant expands their argument on public benefits by placing greater weight on the provision of an additional dwelling in the context of the city's housing supply position. This point is addressed in detail in the chapter eleven above, but it is sufficient to note here that the marginal provision of a single dwelling does not outweigh the significant and demonstrable heritage harm identified.

In summary, the appellant's expanded heritage case fails to resolve the deficiencies of the original submission. The new arguments are based on flawed logic, misapplication of policy, and overstatement of limited benefits. The conclusions remain unsound, and the identified harm to the conservation area is both real and unjustified.

Examples of corner site development forward of the established building line

The Appellants argue that corner sites typically project forward of the established building line citing an example at Ashdown Road in the Round Hill Conservation Area. In chapter 9. Above. we explain how the appeal site differs in several key respects: unlike Ashdown Road, it forms part of the original 1853 masterplan and thus carries greater heritage significance; the proposed projection would intrude upon valued long views; it would affect the principal frontage of Prince's Road rather than a secondary street; and the townscape composition lacks the paired "bookend" buildings present at Ashdown Road, instead being defined by a consistent set-back behind verdant front gardens and a substantial tree screen.

14. Conclusions

Heritage

The development would cause unjustified harm to the Round Hill Conservation Area, a designated heritage asset.

The appellant has acknowledged that the scheme would give rise to "less than substantial harm." However, the claimed benefits—whether through the reconfiguration of the side extension, alleged screening of distant industrial units, or the provision of a single additional dwelling—are either overstated, procedurally flawed, or unsupported by evidence. The correction of neglect cannot be relied upon as a heritage benefit, and the proposal does not achieve genuine enhancements in terms of design quality or townscape character over the existing situation.

The key strands of harm may be summarised as follows:

Disruption of the established building line along Prince's Road, contrary to local design guidance and SPD17.

Erosion of openness and garden character identified as defining qualities of the Conservation Area in the adopted Character Statement.

Intrusion into key views towards the South Downs and wider townscape, with the new dwelling occluding valued sightlines rather than enhancing them.

Loss of original historic detailing of high quality, to be replaced with poorly resolved and simplified replicas that fail to harmonise with the existing fabric.

Undermining of the 1853 estate masterplan, which contributes to the area's special historic interest.

When weighed under NPPF (2024) paragraph 216, the limited and marginal benefits put forward by the appellant do not outweigh the demonstrable heritage harm. Local policy requirements, particularly City Plan Part One Policy CP15 (Heritage) and City Plan Part Two Policy DM26 (Conservation Areas), further reinforce the need to preserve and enhance designated heritage assets.

The proposal therefore fails to preserve the character and appearance of the Round Hill Conservation Area and is therefore contrary to both the development plan and the national policy framework.

Public benefits

The appellant suggests that the scheme delivers important public benefits by providing a new dwelling, invoking the City's shortfall in deliverable housing land. The marginal public benefit of providing one additional dwelling does not outweigh the clear and demonstrable harm to the Round Hill Conservation Area.

Paragraph 11(d) of the NPPF permits some flexibility when supply is lacking—but only where benefits are not outweighed by policy conflict, including heritage protection. Here, the harm to the historic character, views, and architectural integrity is substantive and cannot be justified or outweighed by the important but marginal contribution to housing supply.

The appeal should therefore be dismissed.

15. Planning conditions

Should the inspector be minded to allow the appeal, we request the following conditions are imposed and for the following reasons.

- Withdrawal of further permitted development rights for both new dwellings to cover rear extensions, loft extensions, rooflights and dormer windows (on the basis further permitted development of an intensively developed plot is likely to give rise to harm to neighbour privacy and amenity.
- Detailed drawings of proposed features at a scale of 1:10 to include projecting eaves brackets, window architraves, pilasters and capitals, entrance doorway surround, stucco string courses and channelling. We request that this is **not** framed as a 'revising condition', which might allow the appellant to retrospectively correct or amend design deficiencies in the appeal scheme.
- Samples of materials to be submitted and approved in writing.
- Materials to match existing.
- Details of Sash windows to match to be submitted and approved in writing.
- Details of boundary treatments including the stopping up of the vehicle crossing and removal of the hard standing.
- Details of front and side garden planting schemes and proposed green roof to be submitted and approved in writing.
- Requiring compliance with the recommendations in the Preliminary Ecological Appraisal (Chapter 6).

Appendix – Visual Impact Assessment













