

<b><u>No:</u></b>	<b>BH2012/00195</b>	<b><u>Ward:</u></b>	<b>CENTRAL HOVE</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Flat 6, Courtenay House, Courtenay Terrace, Hove</b>		
<b><u>Proposal:</u></b>	<b>Extension of flat and associated alterations including removal of water tank enclosure, installation of roof lantern and alterations to fenestration.</b>		
<b><u>Officer:</u></b>	Steven Lewis	<b><u>Valid Date:</u></b>	26/01/2012
<b><u>Con Area:</u></b>	Cliftonville - Article IV	<b><u>Expiry Date:</u></b>	22 March 2012
<b><u>Listed Building Grade:</u></b>	Grade II		
<b><u>Agent:</u></b>	Turner Associates, 19a Wilbury Avenue, Hove		
<b><u>Applicant:</u></b>	Ms Tracy Zebrak, Flat 6, Courtenay House, Courtenay Terrace, Hove		

## 1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

### Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved Turner Associates drawings no. TA554/01, TA554/02, TA554/03, TA554/04, TA554/05, TA554/06, TA554/10 Rev G, TA554/11 Rev F, TA554/12 Rev D, TA554/13 Rev D, TA445/14 Rev D TA554/16 Rev C, TA554/18 Rev B, TA554/19 Rev A, TA554/20 Rev A received on 24/01/2012, 04/05/2012, 05/04/2012 & 14/05/2012.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.
- 3) The installation of sash windows, thickened masonry cill and render panel as indicated on Turner Associates Drawing number TA554/11 Rev F submitted on 14/05/2012 shall be completed in accordance with the approved plans within three months of the date of commencement of the development hereby approved.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 4) BH13.12 Approval limited to drawings.  
This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
- 5) The upstands to the rooflights shall be dressed in lead and shall thereafter

be retained as such.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

6) BH13.01 Samples of materials – Listed buildings.

No works shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

7) BH13.05 Joinery details – Listed Building.

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

**Reason:** As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:

(i) having regard to the policies and proposals in the National Planning Policy Framework and the Brighton & Hove Local Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

The proposed extensions and alterations would result in a modest enhancement of the special architectural and historical character of the Listed Building. The extension is well designed in relation to the property and subject to appropriate detailing and materials would not harm the character and appearance of the Cliftonville Conservation Area. The extension would not unduly harm the amenities of adjacent and surrounding occupiers and is in accordance with local plan policies.

## 2 THE SITE

The building is located in the Cliftonville Conservation Area and is Listed Grade II.

The building is at the western end of a terrace of Regency Style townhouses constructed Circa 1840 and has 1922 additions to the north front including attic extensions and subsequent extensions. The building is on a corner of the garden square in Medina Terrace. The houses have dual aspects and bow-fronted walls with ground floor balconies with canopies over them facing the sea. The extensions at attic level and their fenestration are very unsympathetic to the

character of the building. There is a full height storey at the front at third floor level in place of the original mansard with dormer windows, with a further fourth storey behind a steeply pitched roof at the front with a flat roof and patio doors opening onto a roof terrace facing south. The south wall and patio doors are not visible at ground level from Medina Terrace and Kings Esplanade, but are visible from longer views from the beach. Located on top of the roof is a plant room which has a detrimental impact upon the building and wider terrace.

In addition to the roof storey alterations, the rest of the building's fenestration has also been radically altered.

### 3 RELEVANT HISTORY

Flat 6 & Roof Level, Courtenay House, Courtenay Terrace

**3/92/0426(LB):** Extension and alterations – approved 25/09/1992.

**3/92/0425(F):** Extension and alterations – approved 25/09/1992.

**3/90/0780:** Extensions to bedroom and lounge at roof terrace level - refused 03/01/1991.

**3/90/LB0060:** Extensions to bedroom and lounge at roof terrace level - refused 03/01/1991.

Courtenay House, Courtenay Terrace

**3/95/0729(LB):** Internal fire precaution works – approved 12/01/1996.

### 4 THE APPLICATION

Planning permission is sought for the extension of upper floor flat and roof space with associated alterations, including removal of water tank enclosure, installation of roof lantern and alterations to fenestration.

An application for Listed Building consent for the development has also been submitted, reference BH2012/00196.

### 5 CONSULTATIONS

#### External

**Neighbours: Twelve (12)** letters of representation have been received from **Courtenay House Ltd, Flat 1a, Flat 2, Flat 3 (x2), Flat 4 (x2), Flat 5 (x2), Courtenay House, Courtenay Beach, Courtenayside (x2)** objecting to the application for the following reasons:

- The proposed extension would seriously harm the character and appearance of the Listed Building, the Cliftonville Conservation Area and Hove Seafront.
- The proposed extension would result in the roof being substantially higher than the neighbouring buildings in the terrace. The roof lantern would also add height and upset the skyline of the terrace.
- Concerns relating to structural load of the extension and impact of the additional weight.
- The re-location of the water tank southwards, will have a severe visual impact from Medina Terrace and the Promenade
- The development may result in additional noise and disturbance due to lack of appropriate soundproofing
- The water pressure may be affected.
- The limited parking at the property will be under greater stress should the

- property increase in size.
- The extension would set an uncomfortable precedent which could lead to the widespread further harm to the special architectural and historic character of the building and terrace.
- The extension will facilitate a 2 bedroom flat.

**Internal:**

**Heritage:**

Comment 13/04/2012 – Following on from a Visual Assessment and Revised drawings

The revised drawings and detail sheet for the rooflights are now acceptable apart from a minor point in respect of the west windows.

The second revision received 5th April shows the bottom rails of the new sash windows on the west elevation being narrower and matching the windows to the south, which it is agreed is an improvement. However, whilst having a shorter top sash is an improvement and it is considered that the meeting rails should also line up with those of the windows to the south.

The architects' concerns about the proportions of these new windows is understood, but it is suggested that introducing a vertical glazing bar in each window dividing the sashes in two would help give better proportions to the window panes. The applicant may wish to try this instead.

Conditions should be attached requiring samples of the colours of the new south patio window frames (which should be grey) and the tinted glass (also grey). The upstands to the rooflights should also be grey. It is assumed that these will be dressed in lead. This will be dealt with by a condition.

Comment of 20/02/2012

The proposal is to extend the fourth floor flat roofed extension southwards by 3.5m at its greatest extent and 1.1m at its least extent to enclose a substantial part of the roof terrace. At present the top storey is set well back on its south side. The hatching on the drawings suggest that the whole of the roof would be rebuilt. There would be a large shallow lanternlight that would project above the flat roof.

The extension is likely to be visible in views from the seafront and Medina Terrace. If so, it would add to the visible bulk of the building in an unsympathetic way that would unacceptably worsen the negative effect of the roof alterations to this building. The wide patio doors are out of character with the building and would detract from the character of the building, if visible. This will need to be assessed carefully on site.

The lanternlight would not be acceptable if it is visible above the roofline in long views from the ground. This also needs to be checked on site.

The removal of the water tank is a positive enhancement.

The alterations to the fourth floor windows on the west elevation by reducing the

middle one in width and installing sliding sashes is a small improvement, although the sizes, proportions and positions of the windows would still be bear no relationship to the windows below.

However these two minor improvements do not outweigh the harm caused by the large extension.

If the extension is visible, it should be set back from the rear main wall until it is no longer visible from ground level. The new rear wall should be in the form of a pitched slated roof with small lead clad dormer windows in it, to integrate the extension more sympathetically into the roofscape as seen from surrounding buildings.

## **6 MATERIAL CONSIDERATIONS**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is:

- The Regional Spatial Strategy, The South East Plan (6 May 2009);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
- East Sussex and Brighton & Hove Waste Local Plan (February 2006);
- Brighton and Hove Local Plan 2005 (saved policies post 2004).

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.

All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD14	Extension and alterations
QD27	Protection of Amenity
HE1	Listed Buildings
HE4	Reinstatement of original features on Listed Buildings

HE6 Development within or affecting the setting of Conservation Areas

Supplementary Planning Guidance:

SPGBH1 Roof Alterations & Extensions  
SPGBH11 Listed building interiors  
SPGBH13 Listed building general advice

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste  
SPD08 Sustainable Building Design  
SPD09 Architectural Features

The National Planning Policy Framework (NPPF)

**8 CONSIDERATIONS**

Matters relating to structural load and water pressure are not material planning considerations in this case. The main considerations in the determination of this application relate to the impact of the extensions and alterations upon the special architectural and historical character and appearance of the Listed Building and Cliftonville Conservation Area and the amenity of adjacent residential occupiers.

**Design and Heritage issues:**

The existing attic extension forming the rooftop flat is not original, and was added to the building circa 1922. As such there are no original interior features or architectural details which require preservation. The impact on the character of the listed building would be limited to the exterior alone.

The acceptability of the application turns upon whether the benefits from the reduction in height and removal of the stairwell/store along with other minor external and fenestration improvements, sufficiently outweigh the impact created by the increase of floor space and projection further south.

The proposal is to extend the fourth floor flat roofed extension southwards by approximately 3.5m at its greatest extent and 1.1m at its least extent to enclose a substantial part of the roof terrace. The new floor plan would effectively 'square off' the existing layout and would provide for larger living areas, e.g. kitchen, living and dining rooms, and enable the bedroom to be swapped to another room along the western wall of the building and therefore benefit from natural light and ventilation from windows.

At present the top storey is set back on the south side but also has a prominent and unsympathetic stairwell/store that projects well above the enlarged ridge height of the property. The proposal would remove the raised section of the stairwell and store; replacing it with an enlarged roof extension set forward but also reduced in height to match the current main roof height. In addition, the proposal also seeks the installation of a single slim line glazed roof light.

In addition to the extensions and alterations to the roof, the proposal also seeks improvements to the existing fenestration upon the western facing elevation. The

proposal will replace two casement windows with new sliding sash windows, reinstate/thicken a masonry window cill and replace a section of block work with smooth render to match the existing elevation.

Initially the Heritage team had some concerns regarding the potential impact of the works. As a result, a visual investigation of the proposal was conducted to ascertain the level of impact. The visual survey confirmed to the Heritage team that subject to some amendments and improvements the proposed roof extension may be acceptable upon the basis of the improvements made due to the loss of the stairwell/store and fenestration amendments.

The present roof form of the building has been significantly altered and it is at considerable odds to the remainder of Courtenay Terrace. The roof form is considerably bulkier and higher than those adjacent, manifesting a clear and unsympathetic visual intrusion. It is considered that the removal of the stairwell/store projection above the present building line would be a considerable improvement to the appearance of the building, the wider terrace and Cliftonville Conservation Area.

Though it is clear that the proposed roof extension will have some additional impact, concerns were raised with regard to the potential prominence of the extension from the south on the Promenade and amendments sought. These amendments sought to clarify in greater detail the rear elevation and materials to clarify impact.

On the basis of the re-design, use of standing seam lead cladding and tinted glass it is considered that the proposed extension would be acceptable. Furthermore with the inclusion of other fenestration alterations upon the west facing elevation it is considered that the overall improvements will enhance the special architectural and historical character of the Listed Building and appearance of the conservation area.

Conditions are recommended requiring samples of the materials including colours of the new south patio window frames (which should be grey) and the tinted glass (also grey). The upstands to the rooflights should also be grey and dressed in lead and are also controlled by planning condition.

**Impact on amenity:**

The proposed extension will be wholly contained within the roof space of Courtenay House and set back from the chimney stack of the property. As such, there will be no additional impact from loss of light, harmful overshadowing or loss of outlook given the spacing to adjacent residential occupiers.

The new extension will not have any significant impact upon privacy or cause harmful overlooking on the basis that the extension will not significantly increase views or later the aspect of the present roof accommodation or roof terrace. The roof terrace will continue to extend as far south as at present, whilst the views from the new south facing portion of the extension will not produce harmful views or overlooking.

Comments from neighbouring properties and those within the Courtenay House with respect to soundproofing and potential noise and disturbance are noted. The extension will afford additional residential floorspace and possibility in the future that internal alterations could be made to increase the number of habitable rooms and therefore occupants. However, the extension would be subject to Building Regulations which include a requirement for adequate soundproofing and there is no evidence to suggest that the residential use would cause any further disturbance than present.

**Other issues:**

Comments with respect to increased parking demand and precedent are not considered to be reasons to withhold permission in this case. The proposal will not increase the number of residential units or significantly increase demand for parking within the area.

The proposal is quite a unique case within the context of Courtenay Terrace and there are few parallels which could be drawn with others to make a significant comparison. The roof structure differs significantly to those adjacent and given the height, roof design and detailing the proposed extensions do not draw comparison with others or set a precedent. Furthermore, the application has been considered on its merits and future similar applications would be dependent up the individual circumstances of those cases and the constraints.

Consultation responses from neighbours have also raised a number of issues which are not considered planning considerations and can not be afforded weight as a material consideration in this case. Issues relating to structural load and water pressure are not planning issues in this case.

There is no evidence that the increase load would be of detriment to the structure in this case to that they could not be achieved through a practical engineering solution. In any case, if further engineering works which were out of the scope of the project were required further Listed Building consent and Planning Applications may be required and could likely adequately control potential harm.

There is no evidence that the development would impact upon water pressure within the building or that this could not be remedied by mitigation.

**9 CONCLUSION**

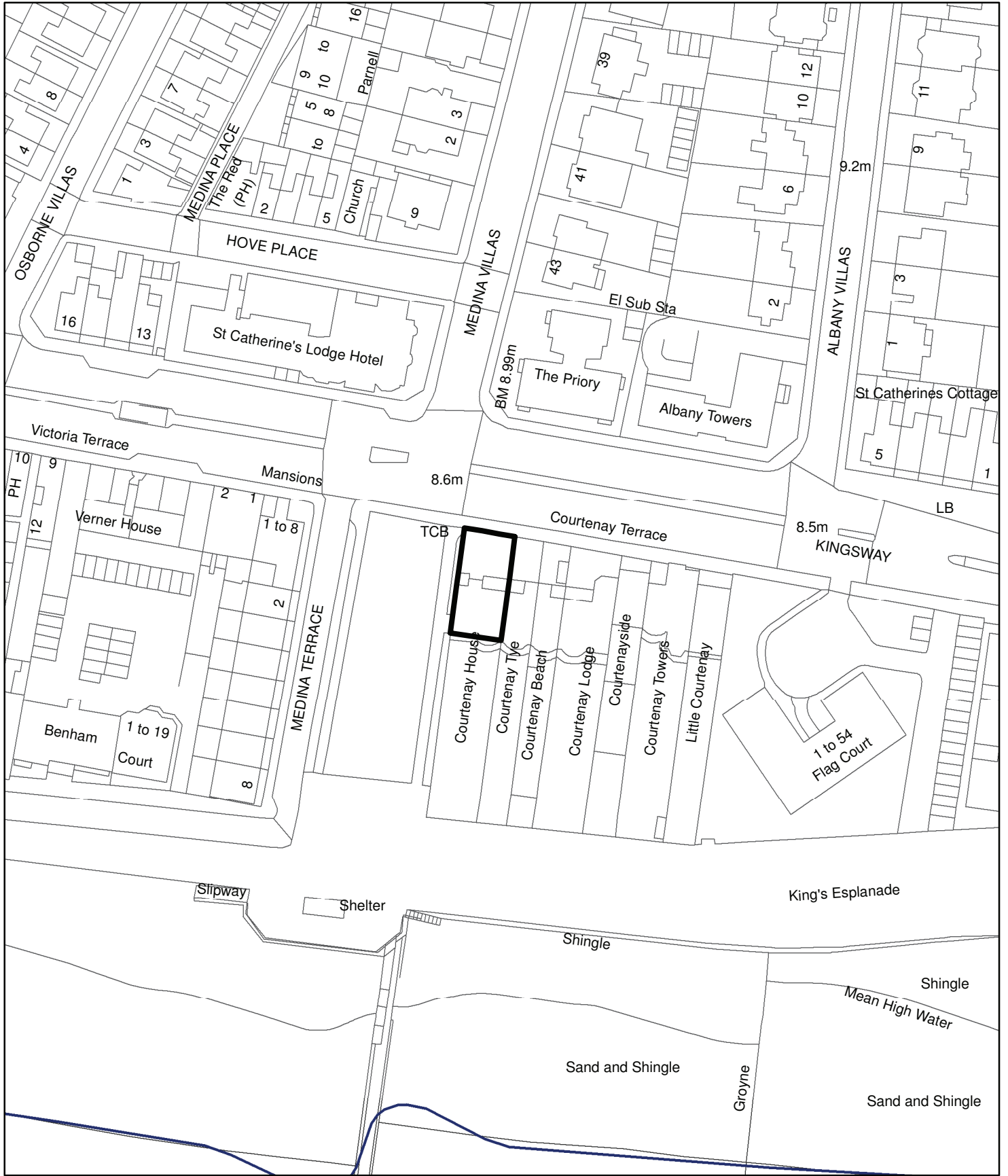
The proposed extensions and alterations would result in a modest enhancement of the special architectural and historical character of the Listed Building. The extension is well designed in relation to the property and subject to appropriate detailing and materials would not harm the character and appearance of the Cliftonville Conservation Area. The extension would not unduly harm the amenities of adjacent and surrounding occupiers and is in accordance with local plan policies.

**10 EQUALITIES IMPLICATIONS**

None identified.



# BH2012/00195 Flat 6, Courtenay House, Courtenay Terrace, Hove.



**Brighton & Hove  
City Council**



Scale: 1:1,250

