

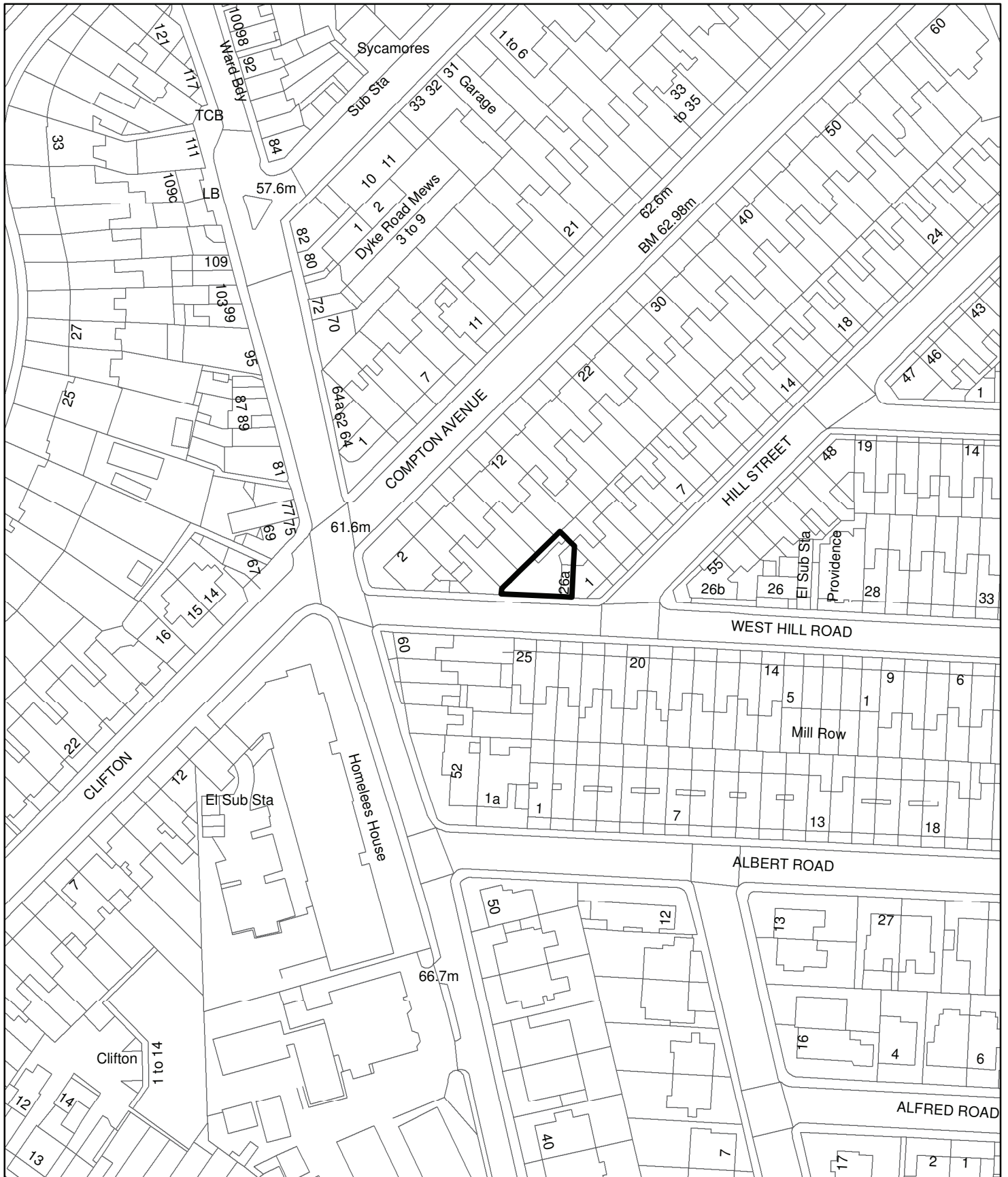
**PLANS LIST  
ITEM D**

**26A West Hill Road, Brighton**

**BH2012/00298  
Conservation area consent**

**08 AUGUST 2012**

# BH2012/00298 26a West Hill Road, Brighton.



**Brighton & Hove  
City Council**



Scale: 1:1,250

<b><u>No:</u></b>	<b>BH2012/00298</b>	<b><u>Ward:</u></b>	<b>ST. PETER'S &amp; NORTH LAINE</b>
<b><u>App Type:</u></b>	<b>Conservation Area Consent</b>		
<b><u>Address:</u></b>	<b>26A West Hill Road, Brighton</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing redundant buildings.</b>		
<b><u>Officer:</u></b>	Jonathan Puplett	<b><u>Valid Date:</u></b>	27/02/2012
<b><u>Con Area:</u></b>	West Hill	<b><u>Expiry Date:</u></b>	23 April 2012
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Parker Dann, S10 The Waterside Centre, North Street, Lewes		
<b><u>Applicant:</u></b>	Thew Family Trust, C/O Parker Dann Ltd		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located on the northern side of West Hill Road approximately 8m to the west of its junction with West Hill Street. It comprises a small, roughly triangular shaped plot of land containing a number of redundant lock-up garages and a vehicle repair workshop.
- 2.2 The immediate surrounding area is wholly residential in character comprising 2-3 storey Victorian terraced houses many of which have been sub-divided into flats.
- 2.3 The site lies within the West Hill Conservation Area.

## 3 RELEVANT HISTORY

- BH2012/00297 (Full Planning):** *'Demolition of existing redundant buildings and erection of 2no two bedroom dwelling houses.'* Under consideration.
- BH2010/02725 (Full Planning):** *'Demolition of existing garage and storage buildings. Erection of 2 no. three bedroom dwellings.'* Refused June 2009.
- BH2010/02726 (Conservation Area Consent):** *'Demolition of existing garage and storage buildings.'* Refused 11/11/2010.
- BH2009/00473 (Full Planning):** *'Demolition of existing garage and storage buildings. Erection of 2 no. three bedroom dwellings.'* Refused 08/06/2009.
- BH2008/02915 (Full Planning):** *'Demolition of existing garage and out-buildings. Erection of 2 no. three bedroom dwellings.'* Refused November 2008.

## 4 THE APPLICATION

- 4.1 Conservation Area Consent is sought for the demolition of the existing garage / storage buildings on the site.

- 4.2 The application was previously on the agenda for the 27/05/12 planning committee meeting. Prior to this meeting amended plans were submitted by the agent for the application, the application was therefore withdrawn from the agenda.

## 5 PUBLICITY & CONSULTATIONS

### External

- 5.1 **Neighbours:** No comments received.

### Internal

- 5.2 **Heritage:** The buildings on the site are of no significance. Comments relating to application BH2012/00297 confirm that the proposed replacement scheme is considered unacceptable.

## 6 MATERIAL CONSIDERATIONS

- 6.1 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.”
- 6.2 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 & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 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.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

HE8 Demolition in Conservation Areas

## 8 CONSIDERATIONS & ASSESSMENT

8.1 The main issue for consideration is whether the loss of the existing building on the site would adversely affect the character and appearance of the Conservation Area.

8.2 Policy HE8 of the Brighton & Hove Local Plan states that:

*'Proposals should retain building, structures and features that make a positive contribution to the character or appearance of a conservation area. The demolition of a building and its surroundings, which make such a contribution, will only be permitted where all of the following apply:*

- a) supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the owner/applicant);*
- b) viable alternative uses cannot be found; and*
- c) the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the building's loss.*

***Demolition will not be considered without acceptable detailed plans for the site's development.*** *Conditions will be imposed in order to ensure a contract exists for the construction of the replacement building(s) and/or the landscaping of the site prior to the commencement of demolition.'*

8.3 The subtext of the policy stating:

*'Before demolition is allowed, detailed planning permission must first be granted for a replacement building and evidence of a contract for the replacement building must have been submitted to the council. Through Policy H E8, the planning authority will endeavour to reduce the number and impact of vacant unsightly gap sites on the historic environment.'*

8.4 In the last three and a half years, three applications for the demolition of the existing buildings and the erection of two dwellings have been refused planning permission. A fourth application for a similar proposal has been submitted (ref. BH2012/00297). As at the time of the previous three applications, this fourth application is considered to be unacceptable and has been recommended for refusal.

8.5 No appropriate replacement scheme for the site has been submitted or approved to date. In the absence of such a scheme, the proposed demolition would result in an empty site which may become ill kept and unsightly, to the detriment of the street scene and the West Hill Conservation Area. Refusal is therefore recommended.

## 9 CONCLUSION

9.1 In the absence of an acceptable replacement scheme for the site, the demolition of the existing buildings would result in the creation of an unsightly area of land that would be detrimental to the character and appearance of the West Hill Conservation Area, contrary to policy HE8 of the Brighton & Hove Local Plan.

**10 EQUALITIES**

10.1 None identified.

**11 REASON FOR REFUSAL / INFORMATIVES**

11.1 Reason for Refusal:

1. In the absence of an acceptable replacement scheme for the site, the demolition of the existing buildings would result in the creation of an unsightly area of land that would be detrimental to the character and appearance of the West Hill Conservation Area, contrary to policy HE8 of the Brighton & Hove Local Plan.

11.2 Informative:

1. This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Drawing	437/02		27 <sup>th</sup> February 2012
Drawing	04C		13 <sup>th</sup> June 2012
Drawing	05C		13 <sup>th</sup> June 2012