

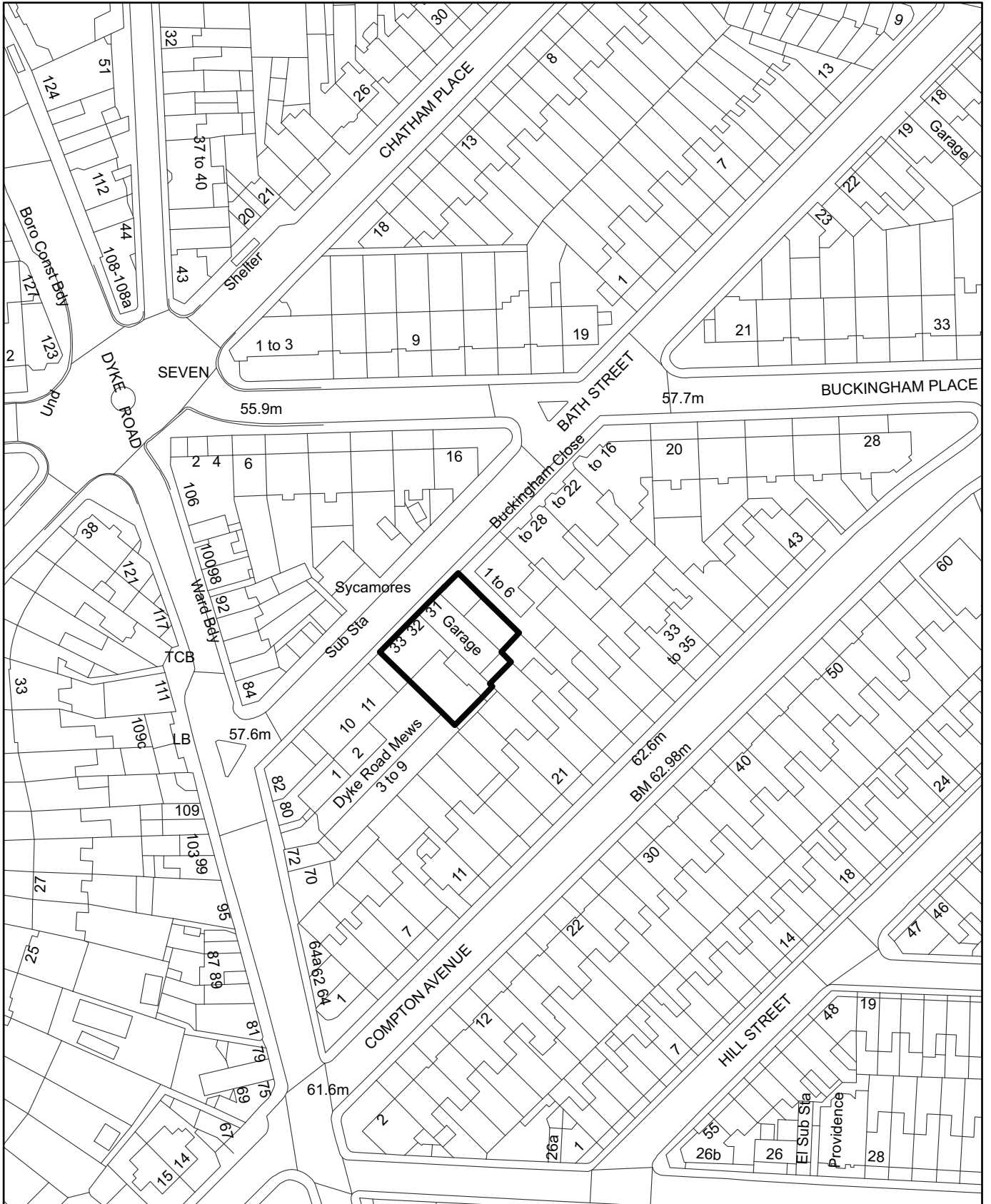
**PLANS LIST
ITEM F**

31-33 Bath Street, Brighton

**BH2012/02148
Conservation Area consent**

10 OCTOBER 2012

BH2012/02148 31-33 Bath Street, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2012/02148	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Conservation Area Consent		
<u>Address:</u>	31-33 Bath Street. Brighton		
<u>Proposal:</u>	Demolition of existing buildings.		
<u>Officer:</u>	Wayne Nee, tel: 292132	<u>Valid Date:</u>	11/07/2012
<u>Con Area:</u>	West Hill	<u>Expiry Date:</u>	05/09/2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Turner Associates, 19a Wilbury Avenue, Hove		
<u>Applicant:</u>	PSPF 70 LLP, 1A Bryanston Square, London		

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 **GRANT** Conservation Area Consent subject to the Conditions and Informative set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is situated on the southern side of Bath Street and is formed from two 2 no. storey buildings and a single storey garage. No. 31 is a two storey building with a pitched roof and smooth rendered elevations. Adjoining the north east elevation is the single storey brick built garage with a pitched roof. Nos. 32 and 33 are formed from an industrial style building with a flat roof and white painted smooth rendered elevations. To the rear of the vacant frontage buildings is a disused partially covered yard area.
- 2.2 In the wider context the site is within a mixed commercial and residential part of the West Hill Conservation Area. The surrounding buildings on this section of Bath Street vary somewhat in design with the majority of the residential properties being purpose built flats. All of the buildings have limited set back from the street. Adjoining the south west of the site is Dyke Road Mews which is a two storey commercial mews development with central forecourt/parking area and access via Dyke Road and Bath Street. The site backs onto the rear of predominantly residential, four storey properties which front Compton Avenue, a number of which have rear extensions which have large windows overlooking the site.

3 RELEVANT HISTORY

BH2012/02147: Demolition of existing buildings to be replaced with proposed development of 5 no. residential dwellings to the rear of the site and 3 no. live-work units at the front of the site – currently undetermined.

BH2011/01046: Proposed redevelopment of site providing 5no residential dwellings to the rear and A1 retail with B1 offices above to front – approved 17/02/2012.

BH2007/03943: Demolition of existing buildings, to be replaced with proposed development of 2 storey building to the rear with B1 office space on the ground floor and 2x1 bedroom apartments above and 3 storey building to the front with B1 office space on the ground floor and 5x2 bedroom apartments above, with refuse, cycle storage and amenity spaces - approved 05/02/2009.

BH2007/03942: Demolition of existing buildings – approved 05/02/2009.

BH2007/00894: Demolition of existing buildings to allow redevelopment for residential and office accommodation – withdrawn 30/04/2007.

BH2007/00891: Demolition of existing buildings with the development of 3 two-storey two-bedroom mews cottages, 1 two-bedroom maisonette, 4 two-bedroom flats and B1 commercial office accommodation with refuse and cycle storage and amenity spaces – withdrawn 25/05/2007.

4 THE APPLICATION

4.1 Conservation Area Consent is sought for demolition of the existing buildings. Also submitted and under consideration is a Full Planning application (BH2012/02147) for the redevelopment of the site.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours:** None received.

5.2 **Conservation Advisory Group:** Support the proposal.

Internal:

5.3 **Heritage Team:** The case for demolition of the existing buildings has already been demonstrated in the previous CAC application and therefore there are no objections to the current CAC application; subject to the same conditions being applied.

6 MATERIAL CONSIDERATIONS

6.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

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 buildings on the site would adversely affect the character and appearance of the West Hill Conservation Area.
- 8.2 Policy HE8 of the Brighton & Hove Local Plan states 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 areas character and would produce substantial benefits that would outweigh the building's loss.
- 8.3 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 buildings and/or the landscaping of the site prior to the commencement of demolition.
- 8.4 In the previous approval of Conservation Area Consent (BH2007/03942) it was considered that the later extensions and covered yards at the rear of the main frontage buildings are of no architectural or historic value and there is no need to make a structural or financial case for their demolition.
- 8.5 Most of the frontage buildings, apart from the single storey garage building make a positive contribution to the conservation area, although they would benefit from restoration work. This building is neutral in its affect on the

conservation area, and its redevelopment would be acceptable subject to the replacement building preserving or enhancing the character of the conservation area.

- 8.6 It would appear that the buildings have received little or no significant maintenance over a number of years and are in poor condition. However, it has not been established that the buildings are beyond physical repair.
- 8.7 In the previous application, three options by the applicant were assessed which demonstrated that the retention of the frontage buildings would not be financially viable and show negative residual site values. It was accepted that the assessment set out in the Conservation Design Report provided by the applicant that given their structural condition, little of the original fabric of the buildings would be left by the time that new openings were formed or repositioned at ground floor level and the new roof extensions added. It would amount to little more than the party walls and the first floor front facades and small sections of the back walls. In view of this, it is considered that the case for demolition of the buildings has been made.
- 8.8 It is also accepted that an appropriate replacement scheme, for consideration elsewhere on this agenda, has been submitted and recommended for approval (BH2012/02147).

9 CONCLUSION

- 9.1 In conjunction with appropriate redevelopment of the site, it is considered that the proposed demolition of the building would not harm the character or appearance of the West Hill Conservation Area and would not be contrary to Policy HE8 of the Brighton & Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 CONDITIONS / INFORMATIVES

11.1 Conditions:

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Site location plan	TA657/01		11 July 2012
Block plans	TA657/02		11 July 2012
Existing plans and elevation	TA657/03		11 July 2012
Proposed site plan	TA657/10		11 July 2012
Proposed lower ground floor plan	TA657/11		11 July 2012
Proposed ground floor plan	TA657/12		11 July 2012
Proposed first floor plan	TA657/13	A	07 September 2012
Proposed second floor plan	TA657/14		11 July 2012
Proposed section AA	TA657/15		11 July 2012
Proposed Bath Street elevation	TA657/16	A	07 September 2012
Proposed courtyard (north)	TA657/17		11 July 2012
Proposed courtyard (south)	TA657/18		11 July 2012
Proposed rear elevations	TA657/19		11 July 2012
Proposed side elevation (East)	TA657/20		11 July 2012
Proposed section EE	TA657/21		11 July 2012
Proposed section FF	TA657/22		11 July 2012
Proposed section GG	TA657/23		11 July 2012
Typical building details	TA657/30	A	24 September 2012

2. This decision to grant Conservation Area Consent 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:-
In conjunction with appropriate redevelopment of the site, it is considered that the proposed demolition of the building would not harm the character or appearance of the West Hill Conservation Area and would not be contrary to Policy HE8 of the Brighton & Hove Local Plan.

