



Appeal Decision

Site visit made on 25 January 2013

by David Prentis BA BPI MRTPI

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

Decision date: 5 March 2013

Appeal Ref: APP/Q1445/E/12/2183677

Flat 4, Riviera Court, 13 -15 Lansdowne Place, Hove BN3 1HB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Paul Johnston against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01785, dated 31 May 2012, was refused by notice dated 9 August 2012.
 - The works proposed are internal alterations to layout of flat.
-

Decision

1. The appeal is allowed and listed building consent is granted for internal alterations to layout of flat at Flat 4, Riviera Court, 13 -15 Lansdowne Place, Hove BN3 1HB in accordance with the terms of the application Ref BH2012/01785, dated 31 May 2012, and the plans submitted with it subject to the following condition:

The works hereby authorised shall begin not later than 3 years from the date of this consent.

Preliminary matter

2. Although the appeal was arranged as an accompanied site visit the appellant did not attend. However, I was given access to the interior of the flat and was able to carry out an unaccompanied visit. I do not think that anyone has been prejudiced by this change of procedure.

Main issue

3. The main issue is the effect of the proposed works on the special interest of the listed building.

Reasons

4. The appeal relates to a Grade II listed bow-fronted semi-detached villa within the Brunswick Town Conservation Area. The listing description notes that the villa dates from 1830 and was re-fenestrated in the late 19th century. The building has architectural interest in its own right and has group value as part of the townscape of Lansdowne Place. No external alterations are proposed so these aspects of its significance as a designated heritage asset would be unaffected by the proposed works. The character and appearance of the conservation area would be preserved.
5. Flat 4 was created on the 2nd floor of No 13 as part of a scheme of conversion which took place many years ago. As a result of those works, few historic

features remain within the flat and none would be lost as a result of the proposed works. There are some panel doors which may be original or older fabric – where these are to be removed they would be re-used within the scheme. Two modern glazed doors would also be removed. The dividing wall between the kitchen and front bedroom would be removed. The Council does not dispute the appellant's assessment that this is a modern partition. Consequently, the works would not have any significant impact on historic fabric.

6. The Council has adopted SPGBH11 *Listed Building Interiors* as Supplementary Planning Guidance (SPG). The SPG refers to the importance of the plan form of listed buildings. Having regard to the position of the stairwell, bay window and chimneybreasts it seems likely that the 2nd floor of No 13 would originally have comprised 3 rooms – a large room at the front related to the bay window, a smaller front room to one side and a room at the back of the house. None of these rooms remain in their original form.
7. In general terms I consider that the interior of Flat 4 makes only a limited contribution to the overall significance of the listed building. Nevertheless, taking account of the Council's SPG, it is still important to consider the effect of the scheme on the layout of this part of the building. The proportions of the original front room have been lost due to the introduction of a partition which divides the bay window. It is proposed that this partition would remain in place. Whilst this was undoubtedly an unfortunate alteration, it is obvious that it is a modern addition and the original layout of the room can still be determined from the position of the bay window. Although the formation of the proposed kitchen/living room would create a larger space, this would not do any further harm to the ability to understand the original layout. The bathroom would be subdivided to create two smaller en-suite WC/shower rooms. This would require a new partition attached to a chimneybreast. There is no fireplace here and the chimney breast is confined within a small space which was presumably formed by subdividing the original back room. This is a very minor alteration which would not be harmful.
8. The Council draws attention to an alternative layout which, it is suggested, would be preferable. However, there is no such scheme before me and my decision is based on the merits of the appeal proposals.
9. In conclusion, the ability to experience the original plan form of the 2nd floor has been compromised by previous alterations. My overall assessment is that the appeal scheme would not result in additional harm, over and above that which has already taken place. The appeal scheme would not therefore cause any material harm to the significance of the listed building. The special interest of the listed building would be preserved. In addition, the proposal would accord with Policy HE1 of the Brighton and Hove Local Plan 2005 which seeks to protect listed buildings. The appeal should therefore be allowed.
10. The Council has not suggested any conditions and I do not consider that any are necessary other than the standard condition relating to the commencement of the works.

David Prentis

Inspector