

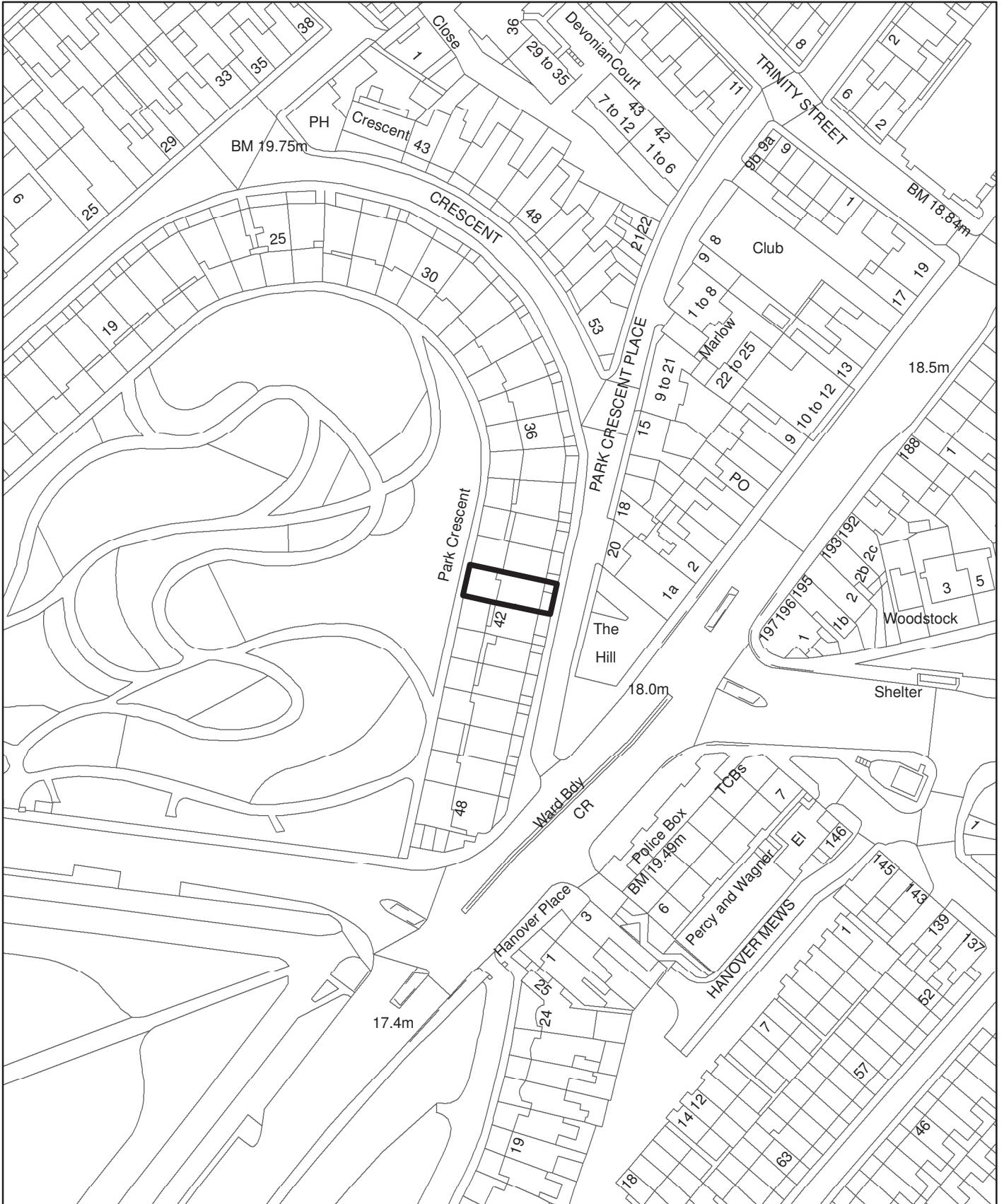
**PLANS LIST
ITEM I**

41 Park Crescent, Brighton

**BH2013/01470
Householder Planning Consent**

17 JULY 2013

BH2013/01470 41 Park Crescent, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01470	<u>Ward:</u>	ST. PETER'S & NORTH LAINE
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	41 Park Crescent Brighton		
<u>Proposal:</u>	External alterations including installation of rear dormer, replacement rooflights to front roofslope, erection of part glazed canopy to rear elevation and alterations to fenestration.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	21/05/2013
<u>Con Area:</u>	Valley Gardens	<u>Expiry Date:</u>	16/07/2013
<u>Listed Building Grade:</u>	Grade II*		
<u>Agent:</u>	Hunter Davidson Design, 125 Freshfield Road, Brighton, BN2 0BR		
<u>Applicant:</u>	Mrs Sue Graham, 2 Park Crescent, Brighton, BN2 3HA		

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** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a property located on the western side of Park Crescent, between the junctions with Lewes Road and Park Crescent Place. The property is located within the Valley Gardens Conservation Area and is a Grade II* Listed Building.
- 2.2 The two storey property with basement and attic accommodation, forms part of a terrace of 48 houses built in a horseshoe shape around private landscaped gardens from 849 onwards in an Italianate style with typical Victorian details and materials. The Grade II* Listing is partly for group value. The street elevations are comparatively simple but with the roofscape enlivened by projecting 'towers'. The garden elevations are much busier and have also been subject to incremental loss and alteration over a long period of time so that the original consistency of composition has been eroded.
- 2.3 The property is currently subdivided into a basement flat and an upper floor maisonette however the proposal would reinstate the property back into a single dwelling.

3 RELEVANT HISTORY

BH2013/01469 - Internal and external alterations including installation of rear dormer, replacement rooflights to front roofslope, erection of part glazed canopy to rear elevation, alterations to fenestration and reinstatement of internal stairs between ground and basement levels. Concurrent Application.

4 THE APPLICATION

- 4.1 Planning permission is sought for external alterations to the property including the installation of a rear dormer window, the replacement of front rooflights, the

erection of a part glazed canopy to the rear elevation and alterations to fenestration.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: No responses received.

- 5.2 **CAG:** Recommends refusal. Specified concerns in three areas, namely; the development would include the only rooflights in this area of Park Crescent; the inappropriate French windows to the rear and the installation of the dormer windows to the rear not being in keeping. Noted the lack of information in the proposals regarding the type of materials to be used and the detailing of aspects of the design, including the canopy. The group believed that any approval be subject to detailed approval by the Conservation Officer and that the application be submitted to the Planning Committee if the Officer's recommendation is for approval.

Internal:

5.3 Heritage:

(Original comments 11/06/2013)

External

The reinstatement of a canopy to the garden elevation is welcome in principle, but such a reinstatement should be part of a wider scheme of restoration works. However, the proposal is to retain the unsightly flat roofed rear extension and to extend the canopy over this and also to remove the original ground floor windows in favour of full height French doors. Consequently there would be an awkward relationship between the canopy and extension and overall this would not be a faithful restoration scheme. The existing sash windows are the original pattern with margin glazing bars and such windows are increasingly rare. Reinstatement of the canopy would only be appropriate if the extension was to be demolished and the sash windows retained. In such a case the canopy roof should have glazed panels only over the windows.

- 5.4 There is no objection to the proposed folding glazed doors to the basement on the garden elevation. The proposed rear dormer is also considered acceptable given the number of other dormers on the garden elevation in the Crescent, including to the other half of this pair. The design and siting of the dormer accords with SPGBH1. On the street elevation the replacement of the existing roof lights with traditional roof lights is welcome, as is the removal of the waste pipe over the entrance.
- 5.5 The proposals also include for slimline double glazing throughout. SPD09 states that double-glazing is inappropriate for multi-paned windows and in this case it is considered that the margin bar windows, which have some very small panes of glass and very slender glazing bars, are unsuited to double glazing without harming their character.
- 5.6 New paving to the rear patio and steps should be York Stone, rather than necessarily matching the balcony slab (which is likely to be Portland Stone).

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- 5.7 Finally, any scheme for this building should include the reinstatement of a traditional four panel door to the basement entrance, in accordance with policy HE4.
- 5.8 If an acceptable revised scheme were submitted conditions would be necessary requiring full details of the proposals to restore and reinstate skirtings, cornices, doors and fireplaces, as referred to in the Heritage Statement and on the drawings, as well as large scale details of the new staircase and the canopy and samples of the stone paving.
- 5.9 (Additional comments 24/06/2013 following receipt of amendments)
- 5.10 The revised plans satisfactorily address original concerns overall. The modern rear extension would still remain but the canopy roof would extend over it in a more fitting manner and the new door would match the existing margin light sash windows, which are not to be retained with openable timber panels beneath. This is an acceptable solution.
- 5.11 The additional drawings with large scale details are very welcome and should avoid the need for pre-commencement conditions, provided that an additional drawing is submitted at 1:20 and 1:5 scale showing the new front basement door (which should have recessed panels and bolection mouldings externally).
- 5.12 Some amendments however will be required to the detail drawings submitted.
- 5.13 (Final comments 26/06/2013 following receipt of further amendments)
- 5.14 The revised drawings satisfactorily address outstanding concerns.

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:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 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.

- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 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:

QD14	Extensions and alterations
QD27	Protection of amenity
HE1	Listed buildings
HE3	Development affecting the setting of a Listed Building
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
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Supplementary Planning Documents:

SPD09	Architectural Features
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Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impacts of the proposal upon the visual amenities of the parent Grade II* Listed Building, the other Listed Buildings within the vicinity of the site, the Park Crescent streetscene and the wider area, especially the surrounding Valley Gardens Conservation Area. The impacts upon the amenities of neighbouring properties must also be assessed.

Planning Policy:

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - uses materials sympathetic to the parent building.

- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 As set out above the site is located within the Valley Gardens Conservation Area. Policy HE6 states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:
- a) a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
 - b) the use of building materials and finishes which are sympathetic to the area;
 - c) no harmful impact on the townscape and roofscape of the conservation area;
 - d) the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
 - e) where appropriate, the removal of unsightly and inappropriate features or details; and
 - f) the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.
- 8.5 Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted.
- 8.6 The property is a Grade II* Listed Building. Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- a) the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and
 - b) the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

Visual Amenities

- 8.7 The proposal comprises of the following external works;
- windows across all floor levels being eased and overhauled,
 - the replacement of the entrance door with a traditional solid panel door,
 - the removal of the exiting garden facing windows and doors, the enlargement of the opening and the insertion of bi-folding glazed doors and side windows,

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- the replacement of the rear entrance door with a part glazed door and side light,
- the reduction of the external basement ground level and the insertion of a new hardstanding patio formed and finished with York Stone,
- the replacement of existing steel beams with new beams,
- the enlargement of the existing external basement retaining wall, and
- the formation of new stepped approach to the ground floor garden level, finished with York Stone.
- existing rear entrance door removed and new part glazed timber single door installed,
- the infilling of a side entrance opening,
- existing garden facing sash windows at ground floor level retained, eased and overhauled and new timber panelled inward opening door sections installed at low level, with existing pilaster extended down to balcony level,
- the replacement of the existing rear external pavement lights with new pavement lights, and
- the insertion of a new external canopy to rear elevation (lead lined and partial glazing)
- the replacement of existing front rooflights with conservation style rooflights, and
- the insertion of a new dormer within rear roofslope (to match existing rear dormer at no. 42 Park Crescent).

8.8 The proposed dormer window would be located on the southern side of the rear roofslope, in alignment with the sash window within the rear elevation at first floor level. The proposed dormer window would comprise lead and slate clad cheeks and would be constructed to match that seen within the rear roofslope of no. 42 Park Crescent. The proposed dormer would measure approximately 1.35m wide, approximately 1.4m high and would extend from the rear roofslope by approximately 2.3m.

8.9 Despite third party objections the insertion of the proposed rear dormer window is considered acceptable given that a number of other dormers are evident on the garden elevation of neighbouring properties, for example nos. 39, 40, 42 and 43 Park Crescent.

8.10 Since submission of the application the proposed rear canopy has been altered so that it would extend over the whole of the existing modern rear flat roof extension, so that this element of the proposal relates better to the existing property.

8.11 Following amendments to the proposal as a result of concerns raised by the Council's Heritage Officer, and subject to the compliance with the attached conditions it is considered that the proposed works, which would allow the property to be reinstated to a single dwelling, would not have a detrimental impact on the character, architectural setting and significance of the Grade II* Listed Building, the other Listed Buildings within the vicinity of the site, the Park

Crescent streetscene and the wider area, especially the surrounding Valley Gardens Conservation Area.

Impact on Amenity:

- 8.12 Policy QD27 states that planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.13 The proposed rooflights would replace existing rooflights within the front roofslope of the property. Due to their nature and sitting it is not considered that the replacement rooflights would have a significant adverse impact upon the amenities of the neighbouring properties.
- 8.14 The proposed rear dormer window would face westwards towards the communal garden area of Park Crescent. It is not considered that the installation of the dormer window would have a significant adverse impact upon the amenities of the neighbouring properties given the views that the window would provide are already achievable from the other rear facing windows in the property.
- 8.15 Although the proposed canopy would be located along the shared boundary with no. 42 Park Crescent, it is not considered that its installation would have a significant adverse impact upon the amenities of this southern neighbouring property given its limited projection (approximately 1.3m from the rear elevation of the property) and its design, which includes sections of glazing.
- 8.16 It is not considered that the other proposed external alterations to the property would have significant adverse impacts upon the amenities due to their scale, nature and positioning.

9 CONCLUSION

- 9.1 Subject to the compliance with the attached conditions it is considered that the proposal would not have a detrimental impact upon the visual amenities of the parent Grade II* Listed Building, the other Listed Buildings within the vicinity of the site, the Park Crescent streetscene and the wider area, especially the surrounding Valley Gardens Conservation Area. Furthermore it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties. The proposal accords with policies of the Brighton and Hove Local Plan, approval is therefore recommended.

10 EQUALITIES

None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 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.

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- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Existing Basement, Ground and First Floor Plans	188.101	-	10 th May 2013
Existing Second Floor & Roof Plans & Block & Site Plan	188.102	A	21 st May 2013
Existing Sections	188.103	-	10 th May 2013
Existing Elevations	188.104	-	10 th May 2013
Sketch Scheme 1 – Proposed Basement, Ground & First Floor Plans	188.105	C	18 th June 2013
Sketch Scheme 1 – Proposed Second Floor & Roof Plans & Block & Site Plans	188.106	D	18 th June 2013
Sketch Scheme 1 – Proposed Elevations	188.108	C	18 th June 2013
Proposed Details No. 1	188.109	A	18 th June 2013
Sketch Scheme 1 – Proposed Sections	188.107	D	25 th June 2013
Proposed Details No. 2	188.110	A	25 th June 2013
Proposed Details No. 3	188.111	A	25 th June 2013

- 3) No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

- 4) The rooflight(s) hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

- 5) 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.

- 6) The slate covering to the rear dormer window hereby approved shall match in size, colour and texture those of the existing building. **Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. 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 Development 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:-

Subject to the compliance with the attached conditions it is considered that the proposal would not have a detrimental impact upon the visual amenities of the parent Grade II* Listed Building, the other Listed Buildings within the vicinity of the site, the Park Crescent streetscene and the wider area, especially the surrounding Valley Gardens Conservation Area. Furthermore it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties.

