

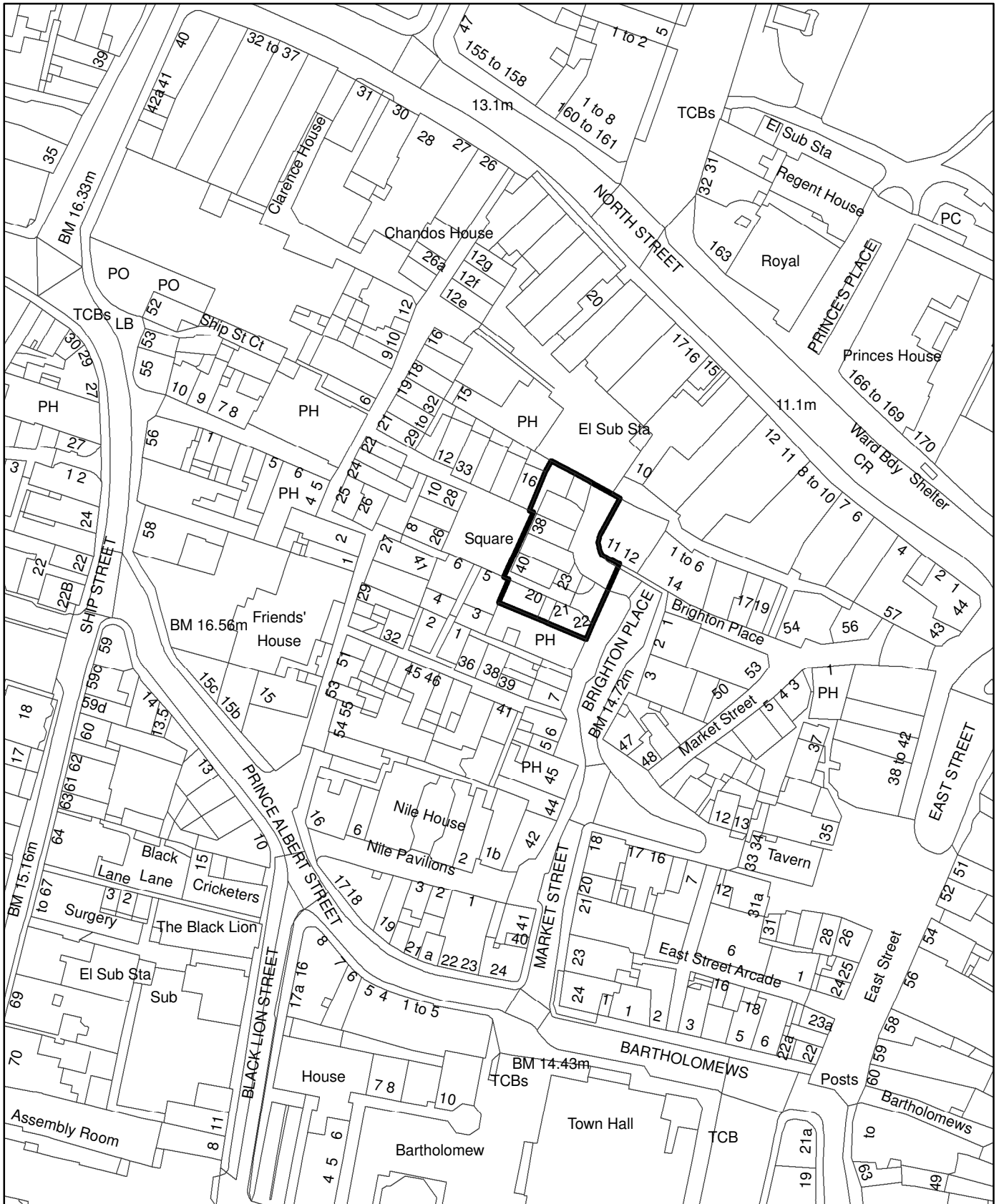
ITEM H

**17-19, 21-23 and 37-40 Brighton Square,
Brighton**

**BH2013/00716
Conservation area consent**

11 DECEMBER 2013

BH2013/00716 17-19. 21-23 & 37-40 Brighton Square, Brighton



**Brighton & Hove
City Council**



Scale : 1:1,250

PLANNING COMMITTEE LIST- 11 DECEMBER

<u>No:</u>	BH2013/00716	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Conservation Area Consent		
<u>Address:</u>	17-19 21-23 and 37-40 Brighton Square, Brighton.		
<u>Proposal:</u>	Demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square.		
<u>Officer:</u>	Steven Lewis Tel 290480	<u>Valid Date:</u>	06 March 2013
<u>Con Area:</u>	Old Town	<u>Expiry Date:</u>	01 May 2013
<u>Listed Building Grade:</u> Adj to Grade II			
<u>Agent:</u>	Morgan Carn Partnership, Blakers House, 79 Stanford Avenue Brighton		
<u>Applicant:</u>	Centurion Group, Centurion House, 11 Prince Albert Street Brighton		

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 Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 Brighton Square is a mid 1960's mixed use development located within the Old Town area of Brighton. The development comprises of approximately 20 shops and 36 residential units. The development is a variation of 2 and 3 storey buildings, with a subterranean car park and servicing area.
- 2.2 Architecturally the square is of its period, with projecting upper bays, faces in cladding, hanging tile and shiplap boarding. The redevelopment was well received when built, earning a Civic Trust award.
- 2.3 The site falls within the Old Town Conservation Area. None of the buildings on the site are Listed. However the site adjoins a Listed Building – The Druids Head (9 Brighton Place) and several other buildings to the south in Brighton Place and all the buildings to the south and west of the 1960s Brighton Square development are also Listed.
- 2.4 The development despite being angular integrates and permeates well with the original historic small fishing port of Old Town which is laid out on an irregular linear grid pattern with the roads oriented predominantly north-south and with a number of pedestrian twittens running east-west.

3 RELEVANT HISTORY

This application has been submitted to run concurrently with 5 other applications.

BH2013/00710: Creation of new shopping lane extending from Meeting House Lane to Brighton Place. Demolition of existing ground floor stores and first floor structures at rear of North Street shops. Adaptation and extension of existing shops on North Street to create 8 shop units to north side of new lane,

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reconfiguration of North Street shops. Construction of 7 new 2 storey flats over shops around a courtyard. Construction of 6 new shops to south side of new lane with 2 floors of offices over. Adaptation of 12D Meeting House Lane to provide additional shop front onto lane. Blocking up of openings in end wall of Puget's Cottage following demolition of adjoining structures (Amended description) - Under consideration.

BH2013/00711: Demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops - Under consideration.

BH2013/00715: Demolition of existing buildings at 21, 22 and 23 Brighton Square and demolition of existing two storey apartments at 37, 38, 39 and 40 Brighton Square. Conversion of existing A1 and A3 units to create new A3 units at ground floor level to East of Brighton Square with new car park access. Construction of a 26no room boutique hotel above new A3 units with entrance at ground floor level and bedroom accommodation to 3no floors above. Erection of new 4no storey building on site of 22 Brighton Square providing A1 retail at ground floor level and 3no flats above. Reconfiguration works to lane connecting Brighton Place to Brighton Square and other associated works – Under consideration.

BH2013/03589: Alterations incorporating reinstatement of South facing gable wall and blocking up of first floor doorway – Under consideration.

4 THE APPLICATION

- 4.1 Conservation Area Consent is sought for the demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square.

5 PUBLICITY & CONSULTATIONS

External:

Neighbours:

- 5.1 None received

CAG:

- 5.2 After discussion, and a show of hands, the majority of the group objected to the proposal to demolish the portal building fronting onto Brighton Place.

English Heritage:

- 5.3 Following the consideration of new information English heritage do not wish to offer any comments on this occasion.
- 5.4 The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Internal:

Heritage

- 5.5 This proposal is part of a wider development including 7-10 13-16 26-28 and 33-36 Brighton Square Brighton and 13 - 22 North Street and the service yards behind, 12D Meeting House Lane and 11-14 Brighton Place Brighton. The Masterplan which ties them together is very much welcomed and is considered to be a comprehensive document that clearly illustrates the historic context and

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the design rationale and development for the three inter-linked but independent applications. It is considered important that the two Brighton Square applications should proceed concurrently so that the design and appearance of Brighton Square would remain consistent on the three main sides.

- 5.6 The Brighton Square applications would jointly offer substantial heritage and wider public benefits to the enhancement of the Old Town Conservation Area, in terms of the appearance of the public realm, the economic vitality of the area, the permeability of pedestrian routes and the quality of architecture. The proposals would preserve the setting of all the listed buildings in the vicinity. These enhancements and benefits would far outweigh any less-than-substantial harm arising from the alterations to Brighton Square as an undesignated heritage asset (potential addition to the Local List).
- 5.7 Statement of Significance: The site falls within the Old Town Conservation Area. None of the buildings on the site are Listed. However the site adjoins a listed building – The Druids Head Public House, 9 Brighton Place. Several other buildings to the south in Brighton Place and all the buildings to the south and west of the 1960s Brighton Square development in Meeting House Lane are also listed. The site falls within an Archaeological Notification Area (ANA)
- 5.8 The Old Town's character is set out in the document Conservation in the Old Town (1979). Whilst this needs updating, it remains a valid material consideration. The original historic small fishing port of Old Town is laid out on an irregular linear grid pattern with the roads oriented predominantly north-south and with a number of pedestrian twittens running east-west. The main street blocks are exactly rectangular and at the northern end, the grid is warped eastwards and North Street is angled slightly south-eastwards. Prince Albert Street is a 19th century planned intervention which cuts across this diagonally.
- 5.9 The area is characterised by a diversity of building sizes, heights, periods and styles. The area is predominantly 2 – 4 storeys in height and close-grained with some much larger buildings inserted from mid 19th century to the present such as the Town Hall, The Hippodrome and the Bartholomew Square development.
- 5.10 Most buildings appear to date from the 18th and 19th centuries although some earlier buildings or parts of buildings may be masked by later remodelling. The area immediately to the south of the site, known as The Lanes, is characterised by a network of narrow twittens and smaller scale buildings.
- 5.11 The Brighton & Hove Pevsner guide says of Brighton Square: –
“This is of 1966 by Fitzroy Robinson & Partners, sensitive infill, shops and flats of load-bearing brick placed over a reinforced concrete basement car park, the entrance to which is discretely tucked away. Architecturally of its time, with projecting upper bays clad in tile hanging and shiplap boarding, successfully in keeping to the style and variety of The Lanes. It was well received when built, earning a Civic Trust award, and is still a model for urban renewal. In the centre of the square a fountain and Dolphin sculpture by James Osborne.”

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- 5.12 The portal building on Brighton Place has been altered and shop units extended into its arched openings. The buildings around the Square have had their timber lapboarding replaced with artificial composite boarding and fibre cement fascia boarding and the original timber windows have been replaced in white powder coated aluminium albeit all in the same style. Most of the shopfronts and their fascias and many of their pilasters have been altered in an unsympathetic way and the ground floor facades have lost their architectural unity. The fountain and dolphin sculpture are later insertions.
- 5.13 Attitudes towards 1960s architecture vary greatly and generate much controversy. Whilst Brighton Square may be considered to be much better than many of the more brutal town centre redevelopments of the 1960s, it has clear faults and in places appears dated. The car park entrance and the service entrance are particularly unattractive in views eastwards along Brighton Place. In urban design terms its current layout and street furniture do not enhance the area. It has been nominated for local listing in the current review and must therefore be considered as an undesignated heritage asset.
- 5.14 The Proposal and Potential Impacts: This application is part of a wider development including 7-10 13-16 26-28 and 33-36 Brighton Square Brighton and 13 - 22 North Street and the service yards behind, 12D Meeting House Lane and 11-14 Brighton Place Brighton. The Masterplan is very much welcomed and is considered to be a comprehensive document that clearly illustrates the historic context and the design rationale and development for the three inter-linked but independent applications. Whilst the three schemes need to be considered together, it is also important to consider their impacts in the event that one or the other failed to go ahead and it is essential that they work in urban design and architectural terms as stand alone schemes. It is considered important that the two Brighton Square applications should proceed concurrently so that the design and appearance of Brighton Square would remain consistent on the three main sides.
- 5.15 Photomontages from key viewpoints have been provided in order to assess the visual impact of the proposed additional storey to Brighton Square on the buildings around Brighton Square and in views from further away, including New Road. These confirm that the additional height to the modern, remodelled hotel building would not make it harmfully visible in any key sensitive views.
- 5.16 In terms of the design of the hotel, the elevations have evolved very positively to address the initial concerns raised. The proportions - including relationship of solid to void and glazing subdivisions - are appropriate to the surrounding context. The curved corner entrance has been refined and overall this is considered to be a fitting contemporary addition to Brighton Place and a clear marker for this entrance to The Lanes. The elevation drawings have now been fully annotated to describe the materials and these materials are all considered to be appropriate (subject to samples by condition).
- 5.17 Whilst the proposal would involve the extension and major remodelling of an undesignated heritage asset it is considered that reconstruction of the south side of the Square under this application and the remodelling and recladding of the

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facades on the north and east sides of the Square (application BH2013/00712) are acceptable. The additional storey would not be visually overbearing as seen from within the Square given the degree of set back and the lightweight glazed design.

- 5.18 The main issue of principle with this application was the height and scale of the new retail and residential building adjacent to the listed Druid's Head Public House. The Masterplan has satisfactorily demonstrated that this building would replicate the form, height and scale of the mid 19th century Hanningtons dormitory building which stood on the site until its demolition in 1963, though with a commercial ground floor frontage on two sides. Whilst English Heritage have expressed some concern about its relationship with the Druids Head, it is considered that the replication of the historic townscape, based on evidence, is an appropriate approach and that the new building sits comfortably in the street scene in the key views from the south-east. It also helps to recreate the organic character of the development of the Old Town. The north elevation has been amended to have more traditional balconies and the shop front has been revised to reflect traditional designs in the area.
- 5.19 The variety of historic period designs interspersed with a contemporary design on Brighton Place reflects the varied character of the area. All styles of architecture are valid, provided that they are sympathetic to the character of the area and are not anachronistic or pre-date the area's development. The crucial issue is the quality of the design, detailing and materials. The proposed palette of materials and the traditional detailing as shown on the elevations are based on historic examples in the area and are appropriate to Old Town but will need to be carefully controlled by conditions.
- 5.20 If this scheme were to proceed in the absence of the Hannington Lane scheme there would be a potential issue of the junction of the new development, where it incorporates access to the existing underground car park, with the existing vacant and unfinished retail unit at 11 Brighton Place. This could be addressed by condition.

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.

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- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 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

HE8 Demolition in Conservation Areas

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

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 Old Town 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.

Brighton Square

- 8.3 The portal building has been altered and shop units extended into its arched openings. The buildings around the square have had their timber lapboarding replaced with artificial composite boarding and fibre cement fascia boarding and the original timber windows have been replaced in white powder coated aluminium albeit all in the same style. Lapboarding is not a significant characteristic of the Old Town and is rare, so such and extensive use of it is incongruous.

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- 8.4 Most of the shopfronts and their fascias many of their pilasters have been altered in an unsympathetic way and the ground floor facades have lost their architectural unity. The fountain and dolphin sculpture are later alterations. The portal building on Brighton place has been substantially altered by the construction of timber fronted shop units reducing the width of the entranceway and the steps radically remodelled.
- 8.5 The scalloped tiles used for the tile hanging is also not a characteristic of the Old Town and the brown tiles around the square are also incongruous. The car park entrance and the service entrance are particularly ugly in views eastwards along Brighton Place. The layout of Brighton Square is too rigidly rectilinear for the historic irregular grid pattern. The square itself is not an appropriate form of open space for the character of Old Town. In urban design terms its current layout and street furniture is sub-optimal. Its uniform architectural design is at odds with the varied architecture of the area.

Demolition

- 8.6 On the basis that the redevelopment proposals to rebuild the west, north and east side of the square with a combination of uses including Hotel, Retail, Commercial and Residential with a consistent replacement façade and new buildings facing onto Brighton Place are acceptable, it is considered that the proposals would produce substantial benefit to the Old Town conservation area and would compensate for the loss of the original façade and form of Brighton Square.
- 8.7 Conditions should be imposed in order to ensure a contract exists for the construction of the replacement building and/or the landscaping of the site prior to the commencement of demolition.

9 CONCLUSION

- 9.1 The redevelopment proposals to rebuild the west, north and east side of the square with a combination of uses including Hotel, Retail, Commercial and Residential with a consistent replacement façade and new buildings facing Brighton Place would produce substantial benefit to the Old Town conservation area and would compensate for the loss of the original façade and form of Brighton Square.

10 EQUALITIES

- 10.1 None identified

11 PLANNING OBLIGATION / 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.

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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.

Informatives:

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

Plan Type	Reference	Version	Date Received
Site Plan	1239 P 300	-	06/03/2013
Block Plan	1239 P 301	-	06/03/2013
Existing Basement	1239 P 302	-	06/03/2013
Existing Ground Floor Plan	1239 P 303	-	06/03/2013
Existing First Floor Plan	1239 P 304	-	06/03/2013
Existing Second Floor Plan	1239 P 305	-	06/03/2013
Demolition Basement Plan	1239 P 352	-	06/03/2013
Demolition Ground Floor Plan	1239 P 353	-	06/03/2013
Demolition First Floor Plan	1239 P 354	-	06/03/2013
Demolition Second Floor Plan	1239 P 355	-	06/03/2013
Demolition Elevation 1	1239 P 370	-	06/03/2013
Demolition Elevation 2	1239 P 371	-	06/03/2013
Demolition Elevation 3	1239 P 372	-	06/03/2013
Demolition Elevation 4	1239 P 373	-	06/03/2013
Demolition Elevation 5	1239 P 374	-	06/03/2013

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:-
The redevelopment proposals to rebuild the west, north and east side of the square with a combination of uses including Hotel, Retail, Commercial and Residential with a consistent replacement façade and new buildings facing Brighton Place would produce substantial benefit to the Old Town Conservation Area and would compensate for the loss of the original façade and form of Brighton Square.