

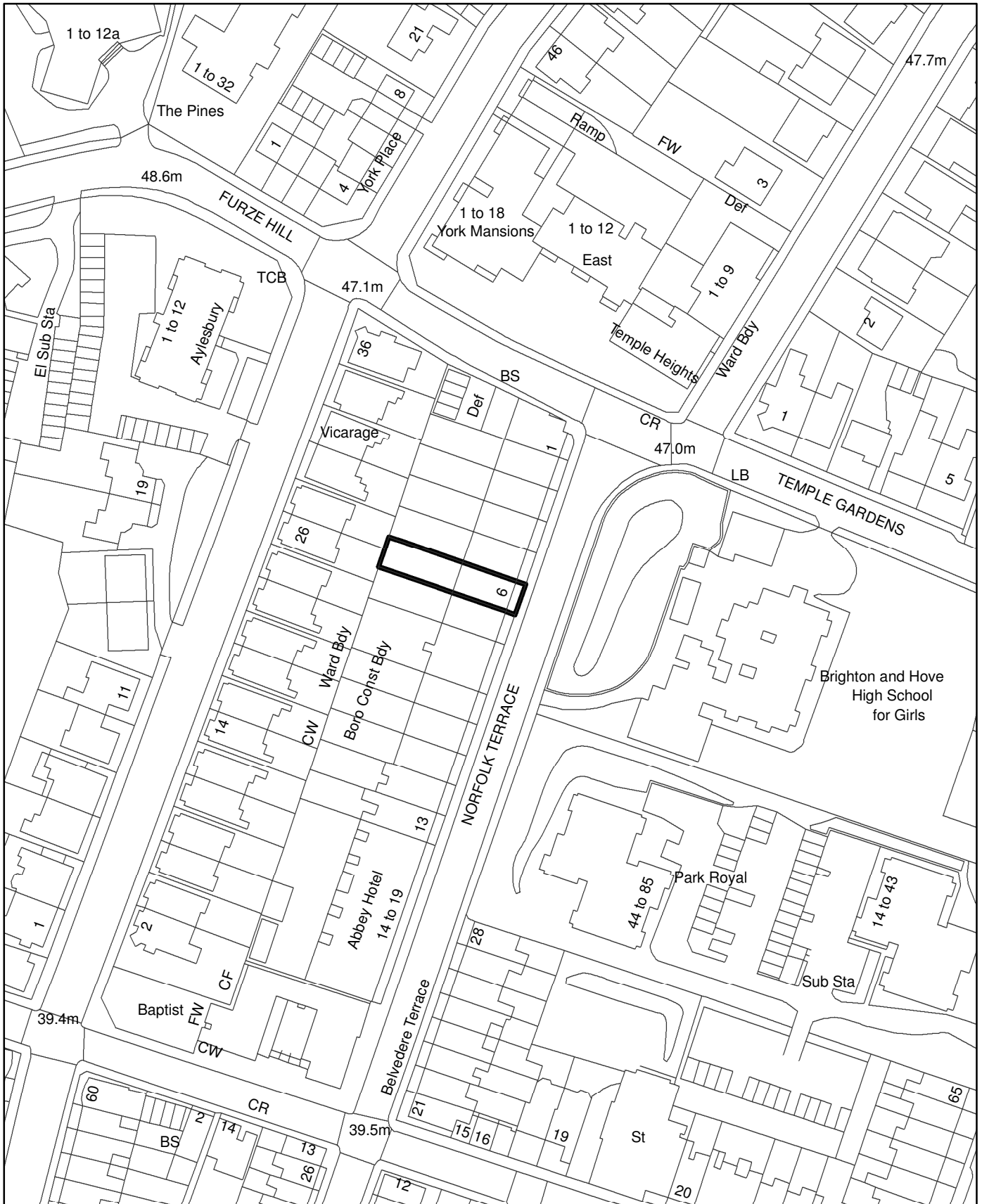
ITEM C

6 Norfolk Terrace, Brighton

BH2014/01281
Full planning

16 JULY 2014

BH2014/01281 6 Norfolk Terrace, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

PLANNING COMMITTEE LIST- 16 JULY 2014

<u>No:</u>	BH2014/01281	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Full Planning		
<u>Address:</u>	6 Norfolk Terrace Brighton		
<u>Proposal:</u>	Removal of external fire escape to rear, replacement of existing door with timber window to rear and infilling of door openings, replacement rooflights, formation of a parapet gutter and associated alterations.		
<u>Officer:</u>	Christine Dadswell Tel 292205	<u>Valid Date:</u>	02 May 2014
<u>Con Area:</u>	Montpelier and Clifton Hill	<u>Expiry Date:</u>	27 June 2014
<u>Listed Building Grade:</u>	Grade II		
<u>Agent:</u>	Grumitt Wade, Unit 3, Tungsten Building, Portslade BN41 1RA		
<u>Applicant:</u>	Dr Paul Lyons, Forge House, 66 High Street, Kingston Upon Thames KT1 1HN		

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 This application relates to a mid terraced Victorian house on the western side of Norfolk Terrace which has been subdivided into flats. The property is Grade II Listed and is located within the Montpelier and Clifton Hill Conservation Area. The surrounding streetscene is characterised by Victorian terraces and the property is opposite Brighton and Hove High School.

3 RELEVANT HISTORY

- 3.1 Conversion into 6 flats. Approved 8 June 1948 (ref 6529).

4 THE APPLICATION

- 4.1 Planning permission is sought for the removal of the external fire escape to the rear, replacement of existing door with timber window to rear and infilling of door openings, formation of a parapet gutter and associated alterations.
- 4.2 An application for listed building consent for the works has also been submitted **ref. BH2014/01207**

5 PUBLICITY & CONSULTATIONS

External

PLANNING COMMITTEE LIST- 16 JULY 2014

- 5.1 **Neighbours: Five (5)** letters of representation have been received from the occupiers of **Flat 4, 26; 28 & 30 York Avenue, Flats 3, 4 & 6 Norfolk Terrace** objecting to the application for the following reasons:
- Original features should be restored not removed and replaced with modern alternatives;
 - Removal of balcony would be detrimental to appearance and character of property;
 - Loss of use of balcony;
 - Loss of view of balcony;
 - Quality of work;
 - Poor maintenance of the building
 - Removal of the balcony would decrease the quality of living conditions and could lead to compensation.

Internal Heritage:

- 5.2 The rear fire escape stair (including balconies) which was erected to serve the four upper floors has fallen into a poor condition of repair and the heavily corroded structure is now structurally unsound and is thus redundant.
- 5.3 The stairs and balconies are clearly a later addition to the building and were likely to have been erected when the building was subdivided into flats. The stair and balconies are not considered to be of any historic or architectural merit and for those reasons, the removal of the rear structure is considered to be acceptable in principle.
- 5.4 The design and fenestration detailing to the rear elevation would originally have mirrored that to no. 5 Norfolk Terrace. Therefore, the proposed making good of the rear elevation and reinstatement of the decorative band detail and moulding to the now central blind window surrounds is welcomed and the works are considered to better reveal the architectural integrity of the building.
- 5.5 It would be desirable to reinstate the large sash windows to the central bay but there are now partitions abutting the centre of where the original window opening would be. It would therefore be acceptable to remove the existing single doors and block the openings up as the moulding detail will allow one to appreciate the original design of the elevation.
- 5.6 There are several points which need to be addressed before the application can be determined and these are set out below:
- 5.7 There are several inaccuracies on the drawings- the materials of the later doors and windows to the central bay on the rear elevation need to be shown accurately and the subdivision of the glazing to the doors and a first floor sash window needs amending.
- 5.8 The labeling of the rooms to the upper floor flats needs to be corrected.

PLANNING COMMITTEE LIST- 16 JULY 2014

- 5.9 The design of the proposed railings to the rear lightwell should be amended- the uprights should be individually leaded into a stone coping and the position of the railings needs to be further considered so to preserve the historic stone steps which are present.
- 5.10 It would be better to have just one single window to the bathrooms and block up where the doors were to the central bay of the rear elevation. The windows should be subdivided into 3 panes.
- 5.11 The scheme has subsequently been amended and incorporates the majority of the recommendations of the Heritage Team and the outstanding issues can be resolved through the imposition of conditions.

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) 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:

PLANNING COMMITTEE LIST- 16 JULY 2014

QD14	Extensions and alterations
QD27	Protection of Amenity
HO8	Private Amenity Space
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:

SPGBH13 Listed Building – General Advice

Supplementary Planning Documents:

SPD09 Architectural Features

SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development; impact on the Listed Building and the Montpelier and Clifton Hill Conservation Area and the impact on neighbour amenity.

Planning Policy:

- 8.2 Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building will only be permitted where:
- 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
 - the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.
- 8.3 Policy HE4 states that where appropriate, the planning authority will require - in conjunction with applications for a change of use, alteration or refurbishment – the reinstatement of original features on listed buildings, such as: mouldings, traditional doors and windows.
- 8.4 Policy HE6 of the Brighton & Hove Local Plan 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 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;
 - the use of building materials and finishes which are sympathetic to the area;
 - no harmful impact on the townscape and roofscape of the conservation area;

PLANNING COMMITTEE LIST- 16 JULY 2014

- 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 SPD12 states that proposals for extensions and/or alterations to listed buildings will be expected to demonstrate that the significance of the building has been understood and conserved, and will be expected to show an exceptional level of design quality and detailing. In addition, previous unsympathetic alterations to a listed building will not be considered to set a precedent for further unsympathetic works.
- 8.7 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.

Design and Character:

- 8.8 The proposal is for the removal of an external fire escape and existing balconies to the rear of the property. The application also includes the replacement of existing doors at third floor level with a timber window, the infilling of existing door openings at second and third floor levels. At roof level it is proposed to install a box gutter on top of the existing parapet, replace existing lantern style roof lights with velux rooflights and install 2 slate vents.
- 8.9 The proposed removal of the fire escape is considered to be acceptable as it is not an original feature of the building and it is an unsympathetic alteration to the listed building concealing many of the buildings original external features. Furthermore the fire escape and balconies are structurally unsound and are causing water ingress in the property. Overall the existing fire escape and balconies are out of keeping with the appearance and character of the building and the removal of them is in line with policy HE6 which supports 'where appropriate, the removal of unsightly and inappropriate features or details'
- 8.10 The proposed reinstatement of a timber window of a traditional design at third floor level is welcomed subject to appropriate joinery details which could be required by condition. The proposed window would restore the window opening to its original dimensions and the design would match windows elsewhere in the elevation.
- 8.11 The proposed infilling of existing door openings at second and third floor levels is considered acceptable as these are non-original doors located within an

PLANNING COMMITTEE LIST- 16 JULY 2014

original window opening. The submitted plans state that the will be blocked in to be flush with existing infills. This will ensure that the dimensions of the original window opening will remain visible.

- 8.12 The proposed reinstatement of render band detail is welcomed and is in line with policy HE4 subject to appropriate detailing required by condition.
- 8.13 The proposed cast iron rainwater and drainage pipework are of an appropriate material. The proposed pipework on the street elevation would generally not be supported, however in this case as the pipework is to replace existing UPVC pipework it is considered to be acceptable. Although there was no drawings submitted to show the existing and proposed front elevation it is considered that the submitted design and access statement provides sufficient information to determine this element. The proposed pipework on the rear elevation is of considerable length. The submitted elevation plans do not show the existing pipework to allow an accurate assessment of the differences in the existing and proposed pipework arrangement however from the justification contained in the design and access statement it is considered that the proposed pipework is an improvement and consolidation of existing pipework. All pipework can be required by condition to be painted to match the render reducing its impact on the appearance and character of the building and the wider conservation area.
- 8.14 The proposed rooflights are of an appropriate style for the building. Although three rooflights on one roofslope would not usually be supported to avoid creating cluttered roofspaces in this case the proposed rooflights are considered acceptable. The proposed rooflights would be located on an inwards facing roofslope and would not be visible in the surrounding street scene. A condition can be used to ensure that the proposed rooflights will lie flush with the plane of the roofslope. Therefore it is not considered that the rooflights would have a detrimental impact on the appearance and character of the listed building or the wider conservation area.
- 8.15 The proposed guttering at parapet level is of an acceptable design that is to be more sympathetic to the appearance and character of the building than the existing UPVC guttering. Furthermore the guttering will not be highly visible in the surrounding streetscene so it is not considered that it will have a detrimental impact on the setting of the wider conservation area. However the proposed felt lining is not a traditional material, the lining should be lead. This can be secured by condition.
- 8.16 It should be noted that the matters relating to internal alterations required by the Heritage Team fall to be considered as part of the application for Listed Building Consent (ref. BH2014/01207).

Impact on amenity:

- 8.17 It is not considered that the removal of the fire escape would have an adverse impact on the amenity of the occupiers of the property as there are alternative access arrangements to the property.

PLANNING COMMITTEE LIST- 16 JULY 2014

- 8.18 The existing fire escape incorporates balcony space at second, third and fourth floor level. The balcony space in its current condition is unsafe and unusable. Furthermore it is not clear that they were originally intended to be used as amenity space in addition to their role as a fire escape route. Overall it is not considered that the removal of the balcony space will have an adverse impact on the amenity of the occupiers of the property. Concerns have been received from the occupiers of the existing flats in respect of the loss of amenity space. Policy HO5 seeks to provide amenity space in schemes for new units and removal of existing amenity space provision could be seen to affect the amenity and standard of accommodation of the existing units. Whilst the loss of amenity space is regrettable, it is the case that the removal of the structure and fire escape is considered to be of benefit to the Listed Building and therefore overrides the concerns of the loss of amenity space.
- 8.19 It is not considered that the infilling of existing door openings at second and third floor level would have an adverse impact on the amenity of the occupiers of the property as the rooms that would be affected are served by other windows in the same elevation.
- 8.20 The removal of the fire escape, balconies and infilling of two existing door openings would serve to reduce overlooking of adjoining properties in Norfolk Terrace and properties in York Avenue and as such it is not considered that the proposed scheme would have an adverse impact on neighbour amenity.

Other considerations:

- 8.20 It should be noted that the loss of view of the balcony from adjoining properties raised in the objections and whether existing occupiers would be entitled to compensation are not material planning considerations. Overall, the objections raised within this application do not outweigh development plan policy and therefore do not warrant the refusal of planning permission.
- 8.21 The Heritage Team suggested that a time limit condition for the works to be put in place to ensure the heritage gains are realised. This is not considered necessary.

9 CONCLUSION

- 9.1 Overall it is not considered that the proposal would be out of keeping and detrimental to the architectural and historic character of the Grade II Listed Building or the wider Montpelier and Clifton Hill Conservation Area. Furthermore it is not considered that the proposed scheme would have an adverse impact on neighbour amenity. As such, the proposal is in accordance with Local Plan Policies HE1, HE3, HE4, HE6, QD14 and QD27, SPD12 Design Guide for Extensions and Alterations and SPGBH13 Listed Building – General Advice.

10 EQUALITIES

- 10.1 None identified.

11 CONDITIONS / INFORMATIVES

- 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.
- 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
Location Plan			29 April 2014
Block Plan			22 April 2014
Existing and Proposed Rear Elevation	Jj/01/norfolk terrace6 revb	B	16 June 2014
Existing and Proposed Floor Plans	Jj/02/norfolk terrace6	A	16 June 2014
Existing and Proposed Parapet Details	Jj/03/norfolk terrace6		22 April 2014
Proposed Rooflight Section	GGL-EKN-0114-1124		09 May 2014

- 3) Prior to the repair and reinstatement of the decorative band and moulding detail to the rear elevation renderwork, the detailed design including the dimensions, profiles and composition of the render and a method statement for the works shall be submitted to and agreed in writing by the Local Planning Authority. The scheme should be carried out in strict accordance with the agreed details and retained as such thereafter.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.
- 4) Notwithstanding the approved drawings, the installation of the new sash window to the second floor kitchen and the new rainwater goods shall not take place until the detailed design including materials and finishes of the following items has been submitted to and approved in writing by the Local Planning Authority:
 1. New vertically sliding timber sash window to third floor (including reveals, cill and head treatment)
 2. All new cast iron rainwater goods
The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

PLANNING COMMITTEE LIST- 16 JULY 2014

- 5) The new box gutter shall be dressed in code 5 or 6 lead unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be maintained as such.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.
- 6) The rooflights hereby approved shall have steel or cast metal frames with a central mullion glazing bar and the rooflights shall 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.
- 7) All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.
- 8) Notwithstanding the approved drawings all new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted to match the colour of the renderwork background walls and retained as such thereafter.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

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:-
The proposal would not be out of keeping and detrimental to the architectural and historic character of the Grade II Listed Building or the wider Montpelier and Clifton Hill Conservation Area. Furthermore it is not considered that the proposed scheme would have an adverse impact on neighbor amenity.