

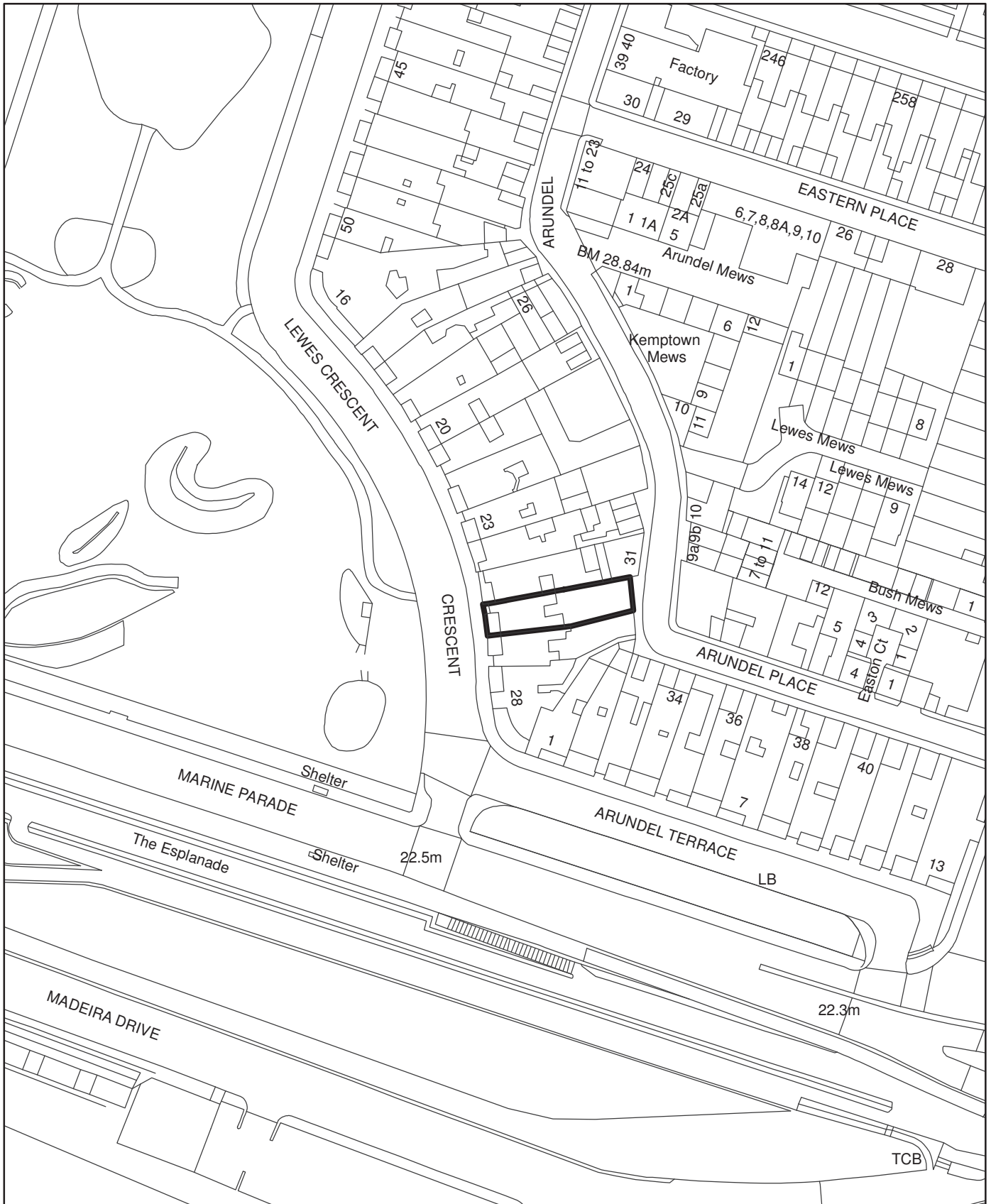
ITEM G

26 Lewes Crescent, Brighton

BH2014/02984
Householder planning consent

18 FEBRUARY 2015

BH2014/02984 26 Lewes Crescent, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/02984	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	26 Lewes Crescent Brighton		
<u>Proposal:</u>	Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	17 September 2014
<u>Con Area:</u>	Kemp Town Conservation Area	<u>Expiry Date:</u>	12 November 2014
<u>Listed Building Grade:</u>	Grade I		
<u>Agent:</u>	James Breckell Architects, The Adur Business Centre, Little High Street, Shoreham by Sea, West Sussex BN1 1YR		
<u>Applicant:</u>	Mr Doug Pearch, 26 Lewes Crescent, Brighton BN2 1GB		

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 is a grade I listed building within the Kemp Town Conservation Area. It forms part of the architectural set piece of Sussex Square, Lewes Crescent, Chichester Terrace and Arundel Terrace. The building remains as a single dwelling house, whereas most of the properties in the Crescent have now been converted to flats. The layout of the building is thus relatively well preserved, as are many of its architectural features.
- 2.2 The main alteration to the layout is at third floor level, where some internal walls have been removed to create a large open space, and rooflights inserted into the inside planes of the butterfly roof. There have also been alterations to the basement, which has lost most of its historic integrity. The stair and stairwell survive, as do the proportions and some features of the principle rooms, including shutters, windows, cornices, ceiling rose and skirting boards.
- 2.3 The rear elevations of properties on Lewes Crescent are more irregular than the uniform front façade, as they were not designed to be 'seen' and as an indication of status in the same way. They are nevertheless visible in the streetscene from the rear mews roads, where they dominate the street in terms of scale. The relationship between these rear elevations (in representing the high status houses), the gardens and the mews properties/service buildings is important. The rear elevations have been altered and extended over time, but largely to designs that are traditional and in keeping with the area. No. 26 Lewes Crescent is significant in being one of only few properties that has not been significantly extended: There is only one single storey extension. This remains subservient in scale and materials to the host building.

3 RELEVANT HISTORY

BH2014/03878 - Application for Approval of Details Reserved by Conditions 2, 3, 4 and 5 of application BH2014/00593. Undetermined.

BH2014/03319 - Replacement of existing timber sliding sash single glazed windows and ceiling lights to second floor level (Part retrospective). Undetermined.

BH2014/03243 - Application for Approval of Details of Reserved by Condition 10 of application BH2014/00594. Undetermined.

BH2014/03226 - Application for Approval of Details Reserved by Conditions 4 and 9 of application BH2014/00594. Undetermined.

BH2014/03195 - Application for Approval of Details Reserved by Condition 11 of application BH2014/00594. Undetermined.

BH2014/02984 - Formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place. Undetermined.

BH2014/02555 - Application for Approval of Details Reserved by Condition 9 of application BH2014/00594. Refused 22/09/2014.

BH2014/02229 - Application for approval of details reserved by condition 4 of application BH2014/00594. Refused 29/08/2014.

BH2014/02125 - Application for Approval of Details Reserved by Condition 8 of application BH2014/00594. Approved 26/08/2014.

BH2014/02124 - Application for Approval of Details Reserved by Condition 7 of application BH2014/00594. Approved 26/08/2014.

BH2014/02123 - Application for approval of details reserved by condition 6 of application BH2014/00594. Approved 22/08/2014.

BH2014/02122 - Application for Approval of Details Reserved by Condition 5 of application BH2014/00594. Approved 01/09/2014.

BH2014/00594 - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Internal and external repair and restoration works, roof repairs including replacement of rooflights and alterations to internal layout. Approved 21.05.2014.

BH2014/00593 - Demolition of existing rear basement extension and erection of rear conservatory extension to basement and ground floor. Repair and restoration works and roof repairs including replacement of rooflights. Approved 20/05/2014.

4 THE APPLICATION

- 4.1 Planning permission is sought for the formation of steps with garden store below to rear boundary wall forming gated access from garden to Arundel Place.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: One (1)** letters of representation have been received from **73 Edburton Avenue** objecting to the application for the following reasons:

- The portion of the wall being removed was meant to be temporary.

- Preference would be for a door at the southern end of the wall.
- Not been able to view any drawings.
- Concerns over safety as deliveries drive very close and would not see persons exiting the doorway. Can not accept responsibility for any vehicles being driven on the pavement past the workshop.

5.2 **CAG:** The Group recommend REFUSAL of the application due to the interference with a Grade I Listed Wall. Neil England undertook to prepare a written specification advising how the wall should be replaced and how the doorway (if permitted) should be constructed. The Group suggest that if the Officer recommends approval, the application should be heard by Committee, and the detailing of the gardeners shed, railings and steps must be agreed beforehand as they do not appear to be part of the application. Appendix attached at rear of report.

Internal

5.3 **Heritage:**

28.11.2014 Final comments (following receipt of amended plans)

The amended plans can be accepted, with the following conditions:

- Railings to rear to exactly match the design of those to the front lightwell.
- Render to be finished to exactly match the detailing of the remainder of the wall.
- Tiles to front steps to be laid in the traditional manner, with the tiles immediately abutting one another.

5.4 26.11.2014 Revised comments (following receipt of amended plans)

It appears that it is not possible to reinstate the Portland Stone to the front steps. In this case therefore, black and white checkerboard tiles with marble nosings are an acceptable traditional finish in principle. They are an improvement on the existing (subject to details). The black and white tiles should be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.

5.5 The application for the opening and steps to the rear garden wall follows a previous application for a two storey building (incorporating garage) in this location. The previous proposal was considered unacceptable and the application was withdrawn. The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, subject to appropriate detailing. The creation of steps and under-stair store of this size is also considered acceptable in principle, subject to appropriate detailing.

5.6 The proposed detailing has been amended in light of previous Heritage comments. The width of the opening to the wall and to the under-stair store have been amended to match the width of historic examples along Arundel Place such as number 10 Arundel Terrace. However, the proportions of the opening remain untraditional; the door is too tall in relation to its width. This

should be amended so that the openings match historic examples along Arundel Place such as number 10. A photograph of number 10 is attached.

- 5.7 The door should be a ledged and braced door (as proposed), with detailing and door furniture to match historic examples such as number 10 Arundel Terrace – i.e. brass door knob, v-shaped joints and painted finish. This should be indicated in the drawings, or could be conditioned.
- 5.8 The specification provided for the render to the wall is inadequate; it should identify exactly what mix is proposed for the wall at 26 Lewes Crescent, and what type of lime is to be used etc. It should be in line with English Heritage and/or council guidance on external renders. A copy of the council's guidance is attached.
- 5.9 The proposed steps are shown as York Stone, and have a simple black-painted railing. This is appropriate. The steps should, however, have an open string – i.e. no dwarf wall with the railings seated directly into the steps.
- 5.10 11.11.2014 Original comments
It is unclear from the Application Description whether replacement of tiles to the front steps is included in the proposal. It is shown on the plans and mentioned on the application form (but not within the description on the application form)
- 5.11 At a previous site meeting, it was understood that investigations were going to take place to establish whether it would be possible to reinstate the original Portland Stone steps. This would be the most appropriate solution for the front steps. Information should be submitted to show why this is not being proposed.
- 5.12 Provided suitable justification for the above is provided, black and white checkerboard tiles with marble nosings would be a traditional finish. This would be an improvement on the existing (subject to details) and therefore would be considered an acceptable alternative. The black and white tiles would need to be placed in the traditional manner (abutting), the marble nosings would need to have an adequate overhang and large scale details would be required to ensure the detailing is appropriate.
- 5.13 The application for the opening and steps to the rear garden wall follow a previous application for a two storey building (incorporating garage) in this location. The previous proposal was considered unacceptable and the application was withdrawn. The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, subject to appropriate detailing. The creation of steps and under-stair store of this size is also considered acceptable in principle, subject to appropriate detailing.
- 5.14 The proposed detailing (and that now largely carried out on site) required amendment. The opening to the wall and to the under-stair store should match historic examples along Arundel Place such as number 10 Arundel Terrace. As such, the width of the opening should be c.1 metre wide (the proposed is less wide), and with a segmental arched brick lintel. The door should be a ledged

and braced door, with detailing and door furniture to match historic examples such as number 10 Arundel Terrace.

- 5.15 The render to the wall should be lime-based, and a specification provided for this. The exterior of the wall as a minimum should be painted white, to match the Article 4 Direction paint colour for Lewes Crescent.
- 5.16 The steps in the application are proposed to be York Stone, although those constructed on site have slate treads. Slate is inappropriate. York Stone or a rendered finish would be appropriate, to match the detailing of surviving basement stairs.
- 5.17 The proposal is for a solid rendered wall to the stair. This is not traditional for this area. This should be amended to a simple railing, with D-shaped handrail to match the detailing of surviving historic basement stairs. The railings should be painted black.

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:

SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE1	Listed Buildings
HE4	Reinstatement of original features on Listed Buildings
HE6	Development within or affecting the setting of conservation areas.

Supplementary Planning Guidance:

SPGBH2	External Paint Finishes & Colours
SPGBH11	Listed Building Interiors
SPGBH13	Listed Building – General Advice

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
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
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the alterations will have a detrimental impact on the character, architectural setting and significance of the Grade I Listed Building, the wider Kemp Town Conservation Area and the impact on neighbouring amenity.
- 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 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use 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.
- 8.5 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.

Design and Character

- 8.6 The application has been amended in response to comments from the Council's Heritage Team. The amendments to the original submission include:
- Door to rear elevation has been amended to show the proportions of the historic 'example' door. Its overall height has been lowered by 200mm and a note is added for 'V' shaped joints, painted finish and a brass door knob.
 - The steps have been amended to have an open string, no dwarf wall and the balustrade fixed directly into the tread.
 - A render specification, to reflect Local Authority Guidance, has been submitted.
 - With regard to the steps at the front – an elevation of the marble nosing (at 1:50 scale) and a section showing the marble nosing overhang (at 1:10 scale is added) have been submitted.
- 8.7 The creation of a single-width opening in the wall in this location is considered acceptable in principle in heritage terms, as is the creation of the steps and store, subject to appropriate detailing.
- 8.8 The proposed detailing has been amended in light of comments from the Council's Heritage team. The width of the opening to the wall and under-stair store have been amended to match the width of historic examples, such as 10 Arundel Terrace, and the height has also been reduced by 200mm. The door shown is a ledged and braced door with detailing and door furniture to match historic examples, i.e. brass door knob, v-shaped joints and painted finish. This amended design is also more in keeping with the details referred to in the CAG comments.

- 8.9 The amended steps are now shown as York Stone, and have a simple black-painted railing seated directly into the steps, which is in keeping with the character and appearance of the listed building. The specification provided for the proposed render to the wall is in accordance with the Council's guidance on external renders and is therefore considered appropriate.

Amenity

- 8.10 The nature and siting of the proposal would not have a detrimental impact on neighbouring amenity and would not result in detrimental levels of overlooking, loss of privacy or sunlight/daylight. Therefore, the proposal is in accordance with Policies QD14 and QD27 of the Brighton and Hove Local Plan.

9 CONCLUSION

- 9.1 The proposed works would not have an adverse affect on the historic and architectural character and historic fabric of the Grade I listed building or the wider Kemp Town Conservation Area. Nor would the proposals have a detrimental impact on the amenity of neighbours. Therefore, the proposals are in accordance with Local Plan Policies QD14, QD27, HE1 and HE6 of the Brighton and Hove Local Plan.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 1) 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	30	A	05.09.2014
Proposed Block Plan	31	B	05.09.2014
Existing Basement Plan	32		05.09.2014
Proposed Basement Plan	33		05.09.2014
Existing Ground Floor Plan	34		05.09.2014
Proposed Ground Floor Plan	35	B	28.11.2014
Proposed Elevations and Section	36	B	28.11.2014
Existing Elevations & Section	37	A	17.09.2014

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.

PLANNING COMMITTEE LIST- 18 FEBRUARY 2015

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 proposed works would not have an adverse affect on the historic and architectural character and historic fabric of the Grade I listed building or the wider Kemp Town Conservation Area. Nor would the proposal have a detrimental impact on the amenity of neighbours.

