

<u>No:</u>	BH2017/00202	<u>Ward:</u>	Goldsmid Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	14 Eaton Gardens Hove BN3 3TP		
<u>Proposal:</u>	Internal alterations to layout and rationalising of existing pipework.		
<u>Officer:</u>	Emily Stanbridge, tel: 292359	<u>Valid Date:</u>	20.01.2017
<u>Con Area:</u>	Willett Estate	<u>Expiry Date:</u>	17.03.2017
<u>Listed Building Grade:</u>	Listed Building Grade II		
<u>Agent:</u>	Mr Simon Bareham	Lewis & Co Planning	2 Port Hall Road Brighton BN1 5PD
<u>Applicant:</u>	Mr Jogi Vig	C/O Lewis and Co Planning	2 Port Hall Road Brighton BN1 5PD

1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** Listed Building Consent subject to the following Conditions and Informatives.
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.
 2. All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black 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 and CP15 of the Brighton and Hove City Plan Part One.
 3. All new walls shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged. Any new skirting boards, picture rails, dado rails and cornices shall be run around all new walls and the blocked up doors to match exactly the originals in each respective part of the building.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.
 4. All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self-closing mechanisms, if required, shall be of the concealed mortice type.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

5. No works shall take place until a schedule of all features to be removed, moved, replaced or reinstated has been submitted to and approved in writing by the Local Planning Authority. All replacement and reinstatement features must match exactly the original in materials and detail. Photographs/drawings/sections recording the features to be replicated must be submitted along with 1:1 scale drawings of proposed items for approval by the Local Planning Authority.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

6. No cables, wires, aerials, pipework, 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 and CP15 of the Brighton and Hove City Plan Part One.

7. The smoke detectors, fire alarm call points, fire alarms, emergency lighting fittings and control boxes shall be located in unobtrusive positions in the corners of rooms and their electrical cabling systems shall not be surface mounted but concealed within the floors, ceilings and walls, except where otherwise approved, and the walls, floors and ceilings made good to the satisfaction 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 and CP15 of the Brighton and Hove City Plan Part One.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location Plan			20 January 2017
Block Plan			20 January 2017
Floor Plans Proposed	427-21 F		30 November 2017
Elevations and sections proposed	427-23 B		8 February 2018

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The building is a late Victorian detached villa which is Grade II listed and falls within the Willett Estate Conservation Area. The building has been subject to a number of internal and external alterations.

- 2.2 The significance of 14 Eaton Gardens lies in its exterior architectural design and detailing, its grand entrance and staircase and the large grand rooms and fine interiors. A site visit undertaken in March 2017 revealed that a substantial amount of historic fabric remains in the building including original doors, cornices, architraves, stained glass windows, staircase, handrails and balustrades and fireplaces. Unfortunately, some historic fabric has been lost to previous alterations.
- 2.3 This application seeks Listed Building Consent for a number of internal alterations the property to facilitate the use of the building as a House in Multiple Occupation. The proposal seeks to remove a number of unauthorised works which have taken place since 2005 and to reinstate and reveal some of the historic fabric to the property which has been previously lost.

3. RELEVANT HISTORY

BH2017/00201: Change of Use from Nursing Home (C2) to 15no bedroom House in Multiple Occupation (Sui generis) incorporating internal alterations to layout. (Part retrospective) Under Consideration.

BH2010/02768: Internal alterations. (Retrospective) Refused November 2010.

BH2006/00491: Internal alterations and installation of access ramp to front elevation. (Part Retrospective) Refused April 2006.

BH2005/06553: Internal alterations and replacement access ramp. Refused January 2006.

BH2002/02922/FP: Change of use from residential care home (C2) to a hostel for the homeless (Sui Generis). Refused February 2003.

4. REPRESENTATIONS

4.1 Ten (10) letters of representation have been received objecting to the proposed development on the following grounds:

- The proposed use is inappropriate for the area
- Noise and disturbance to residents
- The fact the building does not meet required standards isn't justification for the change of use
- Additional parking problems
- Inadequate information of future occupiers
- Loss of the existing care home
- An HMO use is not suitable for a conservation area and listed building

4.2 None of these comments specifically relate to the works that require Listed Building Consent.

5. CONSULTATIONS

5.1 **Heritage:** Insufficient information Original comments 28.03.2017

The application is accompanied by a brief heritage statement and a brief photographic survey of the building, neither of which provide any assessment of the building or the impacts of the proposed development on any remaining historic fabric. The application does not identify the original structure or historic features or the phases of alterations. Further, the application lacks elevation drawings.

The proposal fails to demonstrate that it would not have an adverse effect on the architectural and historic character of the listed building. No details accompany the application; therefore more detailed comments are unable to be made.

Given the history of unauthorised works which have been undertaken on the site, including the removal of historic fabric, the proposal includes minimal reinstatement of original features. The site visit allowed a visual assessment of the amount and quality of historic features remaining internally, however these have not been addressed in the application.

The current proposal has little regard for the original historic features or historic layout of the building. An accurate assessment of the remaining historic features and layout will allow a sympathetic proposal for the change of use to be submitted.

Additional information and amendments are sought.

(Additional comments following amendments 09.02.2018)

The proposal is for internal alterations with the only external works being additional rainwater goods to facilitate the new layout and use. It should be noted that there have been ongoing enforcement issues with the site and the current application has been an opportunity to rectify these unauthorized works and seek improvements to the listed building.

The revision F amended plans propose the removal of all of the existing fire lobbies which divide the main rooms of the house into irregular and ill-proportioned room sizes. Ensuite rooms within larger rooms are also proposed to be removed to reinstate the principal room proportions on the ground and first floors. The rest of the floor plan has been rationalised to remove modern partition walls and ill-proportioned spaces. Some concessions have been made around the floor plan due to the centrally located lift and the historic side extension to the south.

The proposal also includes the reinstatement or revealing of historic fabric such as the fireplace in the entrance foyer and the removal of partition walls blocking in part of the main stair. This is welcomed and will help to reinstate the special interest of the building. A condition will be included on the consent for details of the architectural features to be revealed.

The proposed alterations to the external elevations consist of the rationalisation of the rainwater goods. Both the north and south elevations of the listed building are highly visible from the public realm due to the setbacks of the neighbouring properties. The most recent amended elevations (revision B) show a significant reduction in rainwater goods on all elevations which is a much welcomed improvement.

Contrary to the initial proposed plans submitted for the site, the most recent amendments remove the unauthorized works and reinstate some of the original architectural features and layout of the listed building. The proposal meets the requirements of the NPPF and local plan policies HE1 and HE4 and the associated guidance.

6. MATERIAL CONSIDERATIONS

- 6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2 The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- 6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016):

HE1 Listed Building Consent

HE4 Reinstatement of original features on Listed Buildings

HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

Supplementary Planning Documents:

SPD09 Architectural Features

8. CONSIDERATIONS & ASSESSMENT

- 8.1 Subject to the recommended conditions, the proposed works would not harm the historic character or appearance of the Grade II listed building or wider conservation area, in accordance with policies HE1, HE4 & HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

- 8.2 This application seeks listed building consent for internal alterations to the existing property to facilitate the use of the building as a House in Multiple Occupation. The only external works proposed are related to rainwater goods to facilitate the new layout proposed.
- 8.3 This application provides an opportunity to rectify the unauthorised works previously undertaken to the property and seeks improvements to this Listed building.
- 8.4 Following ongoing discussions during the lifetime of the application amended plans have been received. The proposal now incorporates the removal of all the existing fire lobbies which divide the existing main rooms into irregular and ill-proportioned sizes. In addition the unauthorised en-suite bathrooms within the larger rooms are to be removed to reinstate the proportions of these rooms at ground and first floor level.
- 8.5 In addition to the removal of the above, the floor plan across each of the floors of the building has been amended to remove modern partitions. Some concessions have been made around the floor plan due to the centrally located lift and the historic side extension to the south.
- 8.6 Furthermore the application includes the reinstatement of some of the historic fabric of the building which has previously been covered up. Examples of this include fireplaces and the removal of partition walls to the main staircase. This element of the scheme is welcomed and will reinstate the special interest of this building.
- 8.7 With regards to the external elevations of the building, the proposal seeks to rationalise the existing rainwater goods which at present result in cluttered elevations. The side elevations of the building are visible from within the streetscene given the set back of neighbouring properties. The most recent amended plans show a significant reduction in rainwater goods to all elevations which is a welcomed improvement.
- 8.8 Following the receipt of amended plans which seeks to remove the unauthorised works and reinstate some of the original architectural features to this Listed Building the application is in accordance with Policies HE1 and HE4 of the Brighton and Hove Local Plan.

9. EQUALITIES

- 9.1 None identified