

<u>No:</u>	BH2021/02690	<u>Ward:</u>	Regency Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	19 Hampton Place Brighton BN1 3DA		
<u>Proposal:</u>	Erection of single storey rear extension to replace existing, construction of glass enclosure to existing rear lightwell, additional rear dormer, installation of flat rooflight, photovoltaic panels and air source heat pump on roof, revised fenestration and associated works.		
<u>Officer:</u>	Charlie Partridge, tel: 292193	<u>Valid Date:</u>	11.08.2021
<u>Con Area:</u>	Clifton Hill	<u>Expiry Date:</u>	06.10.2021
<u>Listed Building Grade:</u>	Listed Building Grade II		
<u>Agent:</u>	3W Architecture Limited Studio 1S.09 The Barley Mow Centre 10 Barley Mow Passage London W4 4PH		
<u>Applicant:</u>	Ms Allison Brown 19 Hampton Place Brighton BN1 3DA		

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.

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.
2. The installation of secondary glazing hereby permitted shall not take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.
Reason: As insufficient information has been submitted, 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 & Hove City Plan Part One.
3. No works shall take place until full details of the proposed materials and detailing for the rear extension including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

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

4. No works shall take place until full details of the existing dormer window and proposed materials and detailing for the new dormer window including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

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

5. 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 & Hove City Plan Part One.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location Plan	246(05)001	A	22 July 2021
Block Plan	246(05)002	A	11 August 2021
Proposed Drawing	246(12)001	D	28 January 2022
Proposed Drawing	246(10)002	E	28 January 2022
Proposed Drawing	246(11)002	C	28 January 2022

2. SITE LOCATION

- 2.1. The building is listed Grade II, part of group listing, Nos.19 AND 21 and attached railings and is located in the Montpelier and Clifton Hill Conservation Area. Number 19 is mid terraced built c1825. Stucco, roof obscured by parapet. 3 storeys over basement, one-window range. Steps up to flat-arched entrance framed by pilasters and architrave with over-light and panelled door of original design; 2-storey segmental bay with tripartite windows and cornice.
- 2.2. At the rear there is a single storey side return. The rear elevation, whilst of less significance than the primary appears to have retained architectural integrity.
- 2.3. Hampton Place as a whole, with groups of uniform terraced houses and the dominance of stucco, retains a high level of architectural integrity and is of high significance. The interior of the heritage asset (not inspected) contributes to the significance of the building through remaining plan-form, architectural features and historic materials and finishes. It is clear from the planning history and

information submitted that some fairly minor partitioning has taken place internally, leading to some loss of significance.

3. RELEVANT HISTORY

- 3.1. **BH2021/02689** - Erection of single storey rear extension to replace existing, construction of glass enclosure to existing rear lightwell, additional rear dormer, installation of flat rooflight, photovoltaic panels and air source heat pump on roof, revised fenestration and associated works. Concurrent Full Planning Application.

4. APPLICATION DESCRIPTION

- 4.1. Listed building consent is sought for:
- The erection of a single storey rear extension to replace the existing
 - The construction of a glass enclosure to the existing rear lightwell
 - An additional rear dormer
 - The installation of a flat rooflight
 - The installation of photovoltaic panels and air source heat pump on roof
 - Revised fenestration and associated works.
- 4.2. In order to address concerns raised by heritage, the plans have been amended. These amendments included:
- Removing the changes to the front elevation
 - Replacing the full width glazed extension with a glazed outrigger extension
 - Removing the terrace from the roof of the extension
 - Addition of a service riser
 - Removing the changes to fireplaces and cupboards
 - Replacing the wide rear dormer with smaller dormer matching the size and design of the existing

5. REPRESENTATIONS

- 5.1. **Six (6)** letters have been received objecting to the proposal on the following grounds:
- Adverse impact on listed building, street and conservation area
 - Not in keeping with Regency style
 - Detrimental to property value
 - Noise from proposed terrace
 - Noise from heat pump
 - Overdevelopment
 - Overshadowing
 - Restriction of view
 - Too close to the boundary
 - Inappropriate Height of Development
 - Poor design

- Privacy
- No other properties on the terrace have usable outdoor space above ground level

6. CONSULTATIONS

6.1. **Heritage No Objection**

Several responses during course of application, with additional information submitted to overcome concerns raised, specifically noting that the removal of the proposed alterations to the front basement area, installation of double glazing and internal insulation from the scheme are welcomed. Secondary glazing remains part of the work and is considered acceptable in principle, subject to approval of details which can be conditioned.

6.2. Revised drawings have been submitted with the required definition between the dining area and the snug, including a downstand beam to mark the position of the original rear wall and this is now acceptable.

6.3. The application now excludes proposals to alter the fireplaces and cupboards, therefore the heritage team considers that the application is now acceptable subject to conditions as outlined above.

The Georgian Group Objection

6.4. The Group has concerns over the plans to remove internal fittings within the house and a wall to the ground floor. Additionally, the removal of a rear window to allow for the new extension would cause an element of harm to the building and therefore requires a clear and convincing justification in line with paragraph 200 of the NPPF.

6.5. The Group supports the comments of your Conservation Team and requests the applicant provide a robust Heritage Statement as part of the application in line with paragraph 194 of the NPPF. If the applicant is unwilling to, then this application for Listed Building Consent should be refused.

6.6. In determining this application, you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

7. MATERIAL CONSIDERATIONS

7.1. 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.

7.2. 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);
- Shoreham Harbour Joint Area Action Plan (adopted October 2019)

7.3. 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.

8. RELEVANT POLICIES & GUIDANCE

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 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

Brighton & Hove City Plan Part Two (Proposed Submission October 2020)

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM26	Conservation Areas
DM27	Listed Buildings
DM29	The Setting of Heritage Assets

Supplementary Planning Guidance:

SPGBH11	Listed Building Interiors
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Supplementary Planning Documents:

SPD09	Architectural Features
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Montpelier and Clifton Hill Conservation Area Character Statement

9. CONSIDERATIONS & ASSESSMENT

9.1. The main considerations in the determination of this application relate to design and appearance of the proposed alterations and whether they would have a

detrimental impact on the historic character and significance of the Grade II listed building, the setting of other listed buildings and the wider Montpelier and Clifton Hill Conservation Area.

- 9.2. In considering whether to grant listed building consent the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Moreover, when considering whether to grant listed building consent for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.3. Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses, and the desirability of preserving or enhancing the character or appearance of a conservation should be given "considerable importance and weight".
- 9.4. A heritage statement was received and a number of amendments to the design of the proposal have been made in order to address the concerns raised by heritage. These amendments to the proposal include: removing the changes to the front elevation, replacing the proposed full width glazed extension with a glazed outrigger extension to maintain the crenulated development pattern of the terrace, replacing the flat roof and terrace on the proposed extension with a dual pitched glazed roof, a new service riser to accommodate the new wiring/pipework associated with the photovoltaic panels and air source heat pump, deleting the proposals to alter the fireplaces and cupboards, removing the wide rear dormer and proposing the retention of the existing dormer and the addition of another dormer which would match the size and details of the existing (to reduce the bulk on the roof).
- 9.5. A number of objections to the proposal have been received. The amendments to the detail/design of the proposal are considered to address these concerns. The amended proposal would be more sympathetic to the listed building, terrace and wider conservation area. The concerns raised in the objections regarding the impact of noise, overshadowing and privacy are not material considerations in the determination of a listed building consent application which only seeks to assess the impacts upon the historic character of the building and wider conservation area.
- 9.6. Following the amendments to the design of the proposal and 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, CP15 of the Brighton & Hove City Plan Part One and DM21, DM26 & DM27 of the Brighton & Hove City Plan Part Two (which are considered to have more weight than the adopted Local Plan policies HE1, HE3, HE4 & HE6).

10. EQUALITIES
None identified