



Appeal Decision

Site visit made on 31 March 2015

by **Philip Willmer BSc Dip Arch RIBA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 April 2015

Appeal Ref: **APP/Q1445/Y/14/3001183**

12 Montpelier Crescent, Brighton, East Sussex, BN1 3JF.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Michael and Mrs Mary D'Arcy against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/02067, dated 23 June 2014, was refused by notice dated 18 August 2014.
 - The works proposed are described as proposed removal of an internal wall at rear ground floor.
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Decision

1. The appeal is allowed and listed building consent is granted for the removal of an internal wall at rear ground floor at 12 Montpelier Crescent, Brighton, East Sussex, BN1 3JF in accordance with the terms of the application Ref BH2014/02067, dated 23 June 2014 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

2. I consider the main issue to be the effect of the proposed works on the special architectural and historic interest of the grade II* listed property.

Reasons

3. The property the subject of this appeal, 12 Montpelier Crescent, is one of a block of three houses, where the blocks of two or three dwellings in the terrace are arranged into a concave crescent. It is listed grade II* and located in the Montpelier and Cliftonhill Conservation Area.
 4. According to the list description the houses were probably built between 1843 and 1847. In my view, the property's special architectural and historic interest relates to the history of the crescent's development, the building's design and detailing, and the dwelling's setting as part of Montpelier Crescent.
 5. This property has previously been the subject of some alteration in that the lower ground floor, which no doubt originally housed the service areas of the house, such as the kitchen etc., was converted into a self-contained flat. Accordingly, while the cellular room layout has been retained, as identified, the function of the ground floor rooms has probably changed over time including
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the installation of a galley style kitchen in a small space at the end of the entrance hall, which also accommodates the main staircase.

6. The appellants propose the removal of part of an internal wall between the current kitchen and rear sitting room. This includes an access door and an internal window that appeared to be a later intervention. This would allow more natural light into the kitchen that I saw to be a dark and somewhat gloomy space. The works the subject of this appeal are part of a scheme to reinstate the property to a single family dwelling house. The more substantive works of alteration and extension having been granted consent by the Council, its references: BH2014/01946 and BH2014/01947.
7. The removal of the wall would result in the loss of a small part of the fabric of the building that may well be original. The appellants, however, do not propose the complete removal of the wall and seek to express the position of the original partition wall through the retention of piers either side of the opening and a substantive downstand, such that the existing cornice and decorative ceiling in the sitting room would be retained and the new opening framed. Further, it is proposed, and indeed I understand consent has already been granted, to both retain and open up the original fireplace located on the opposite wall that would act as a focal point for the sitting room. In these ways visual evidence of the original wall position, a sense of the original spaces, the integrity of the building's original plan, the original design and its historic character in terms of room proportions, ceiling heights and decorative features, would in my judgement be preserved and in a small way enhanced.
8. In my opinion, the removal of part of the wall as proposed would not, other than for the most casual of observers, diminish in any significant way the potential to understand the original design, function of the house or the hierarchy of the floors as suggested by the Council. Additionally, detailed survey drawings and photographs have been provided. These would ensure that an accurate historic record of the property, as it currently stands, is retained. Accordingly, having regard to the limited extent of the works, I do not consider the structural alterations to be harmful in this instance.
9. I therefore conclude that the proposed works, when considered in conjunction with the more comprehensive scheme to convert the property back to a single family dwelling house, would not cause harm to the special architectural or historic interest of the grade II* listed building. The works therefore comply with the objectives of saved Policy HE1 of the Brighton and Hove Local Plan (Adopted 2005) (LP).
10. My attention has been drawn to an appeal decision Ref: APP/B1605/E/11/2146683, the details of which have not been provided, where the Inspector concluded that the proposal before her was as a result of the appellant's own personal preference with no tangible public benefit which would offset the harm that the development would have on the historic and architectural significance of the listed building. Whatever the circumstances pertaining to that matter, in this case, which I have considered on its individual merits, I have concluded that the proposed works would not have a major impact on the significance of this heritage asset.

Conditions

11. The conditions follow from those suggested by the Council. The application drawings are small scale and lack detail. In order, therefore, to ensure the satisfactory preservation of the listed building, I shall require detailed drawings to be submitted and approved by the Council before works start. Those drawings will also be required to illustrate how the new opening will be formed, detailed and finished. In addition, I will condition the use of matching materials and details for any necessary making good along with the protection of the existing cornice and decorative ceiling in the sitting room. In the interests of proper planning, I will impose a condition requiring the internal works to be carried out in accordance with the approved plans.

Conclusions

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

Philip Willmer

INSPECTOR

Schedule of conditions

- 1) The works hereby authorised shall begin not later than three years from the date of this consent.
- 2) The works hereby authorised shall be carried out in accordance with the following plans: drawings numbered 1137 PL001, 2137 PL002 and PL003, 2137 SU004 to SU009, 2137 PU010 Rev. A and 2137 PU030.
- 3) The works hereby authorised shall not be commenced until larger scale detailed plans and drawings showing full details of how the new internal opening will be formed, including the proposed nibs, any pad stones and structural beams or lintels and the design detail and finish of the reveals and soffit of the new opening, in elevation and section at a scale of 1:20, have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 4) Before any works hereby authorised begin, steps shall be taken to secure the safety and stability of the cornice and the ceiling of the sitting room which are to be retained. Such steps shall, where necessary, include measures to strengthen any wall or vertical surface to support any floor or horizontal surface.
- 5) All new and existing surfaces disturbed shall be made good at the time that the works are carried out using materials of matching composition, form and finish to those of the listed building.

