

<u>No:</u>	BH2011/03803	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	83 Upper North Street, Brighton		
<u>Proposal:</u>	Installation of French doors to replace existing ground floor rear window.		
<u>Officer:</u>	Robert McNicol	<u>Valid Date:</u>	09/01/2012
<u>Con Area:</u>	Montpelier and Clifton Hill	<u>Expiry Date:</u>	05 March 2012
<u>Listed Building Grade:</u>	Grade II		
<u>Agent:</u>	John Bains Architect, Hope Cottage, Highleigh Road, Highleigh, Chichester		
<u>Applicant:</u>	Mrs Rita McCormack, 83 Upper North Street, Brighton		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** listed building consent for the following reason:

1. Policy HE1 states proposals involving the alteration of a Listed Building will only be permitted where the proposal would not have an adverse effect on the architectural and historic character of the building. The proposal to remove the original window, which is a historic feature of the property, and to demolish part of the property's historic fabric is contrary to the above mentioned policy and the guidance contained in SPD09 Architectural Features, and is considered to cause harm to this Grade II Listed Building.

Informatives:

1. This decision is based on drawing nos.UNS03A and UNS04 received on 09-Jan-2012.

2 THE SITE

The application relates to a three storey terraced house on the north side of Upper North Street. The house is Grade II Listed and lies within the Montpelier & Clifton Hill Conservation Area.

3 RELEVANT HISTORY

BH1997/01826/LB: In 1998, listed building consent was granted for the construction of a glazed lean-to to side of property, the removal of an existing door, the installation of a new side window and the erection of internal partitions.

4 THE APPLICATION

Listed building consent is sought for the removal of a timber double hung vertical sliding sash window at the rear of the property, and the replacement of this with French doors.

5 CONSULTATIONS

External

Neighbours: Seven (7) letters of representation have been received from **42, 43, 44, 78, 80, 84 and 87 Upper North Street**, supporting to the application for the following reasons:

- The alteration would be in keeping with the property, including the other first and second floor casement windows.
- The alteration would be at the rear of the property, and therefore have minimal impact.
- Other properties in the terrace have French doors or other alterations to the rear.
- The proposed doors are no higher or wider than the existing window.
- The house is Grade II Listed, rather than Grade I.
- The alteration would allow for proper functioning of the house, improving access to the rear garden.
- The sash window is not original.
- There would be no impact on neighbours.

Internal

Heritage: Objection

The proposal is to remove the existing sliding sash window from the main rear room on the ground floor, along with the section of wall below, and install casement doors to provide access to the garden.

The existing window is of historic interest in itself, and is part of the main house contributing to the interior of the inter-connected principle reception space as well as the rear elevation.

PPS5 practice guide states that historic fabric will always be an important part of an asset's significance, and that the insertion of new elements such as doors and windows is quite likely to have an adverse impact on a building's significance.

The importance of windows to the character of historic buildings is set out in SPD 09. The relevant policy states:

Original or historic windows should be retained unless beyond economic repair.

On the specific matter of installation of French doors the SPD states:

2.29 The conversion of windows into French doors by demolishing the masonry below cill level will normally only be acceptable at the rear of the premises at basement and ground floor level and where the window to be altered is not a historic feature of the building.

It is therefore considered that the removal of the existing window would cause harm to this listed building and should be refused.

Approval was recently granted for French doors at no. 85 Upper North Street (BH2011/01066), however in this case the original sliding sash window had already been removed at some time in the past and casement doors were in

place. This application therefore concerned the replacement of the doors and did not involve the removal of any historic fabric, and is therefore not a comparable case.

6 MATERIAL CONSIDERATIONS

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.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT POLICIES & GUIDANCE

Planning Policy Statements (PPS):

PPS5: Planning for the Historic Environment

Brighton & Hove Local Plan:

HE1 Listed Buildings

Supplementary Planning Documents:

SPD09 Architectural Features

8 CONSIDERATIONS

The main issues are considered to be whether the proposed alteration would have an adverse impact on the architectural and historic character and appearance of the interior or exterior of the building and its setting.

Planning Policy:

Policy HE1 states that proposals involving the alteration of listed buildings 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 and its setting; and
- b) the proposal respects the scale, design, materials and finishes of the existing building and preserves its historic fabric.

Supplementary Planning Document 09 (SPD09) Architectural Features) states that, on Listed Buildings “original or historic windows should be retained unless beyond economic repair”.

Regarding the replacement of windows with French doors, SPD09 states in paragraph 2.29 that “the conversion of windows into French doors by demolishing the masonry below cill level will normally only be acceptable at the rear of the premises at basement and ground floor level and where the window to be altered is not a historic feature of the building”.

The proposal is therefore considered contrary to the advice contained in policy HE1 of the Brighton & Hove Local Plan and SPD09 Architectural Features.

The proposal is for the removal of the existing timber vertical sliding sash window at the rear of the property on the ground floor, and the replacement of this with French doors. This would necessitate the demolition of the masonry below the window cill. The proposal does not seek to change the width of the opening. The replacement doors would be of white painted softwood.

It is considered that the removal of the existing window would harm the Listed Building.

Other Considerations:

Whilst approval was given for installing French doors at no. 85 Upper North Street (BH2011/01066), the case is not considered to be comparable. Casement doors had, at some time in the past, already been installed and the application did not involve the removal of any historic fabric.

83 Upper North Street and various other properties in the terrace have had alterations to the rear, including the insertion of non-original windows, rooflights and other alterations. There are also a number of historic windows remaining in situ. A degree of alteration and variety is to be expected in a group of properties of this age, however the lack of strict homogeneity or the presence of comparatively recent alterations are not sufficient reason to allow the loss of historic fabric of a listed building.

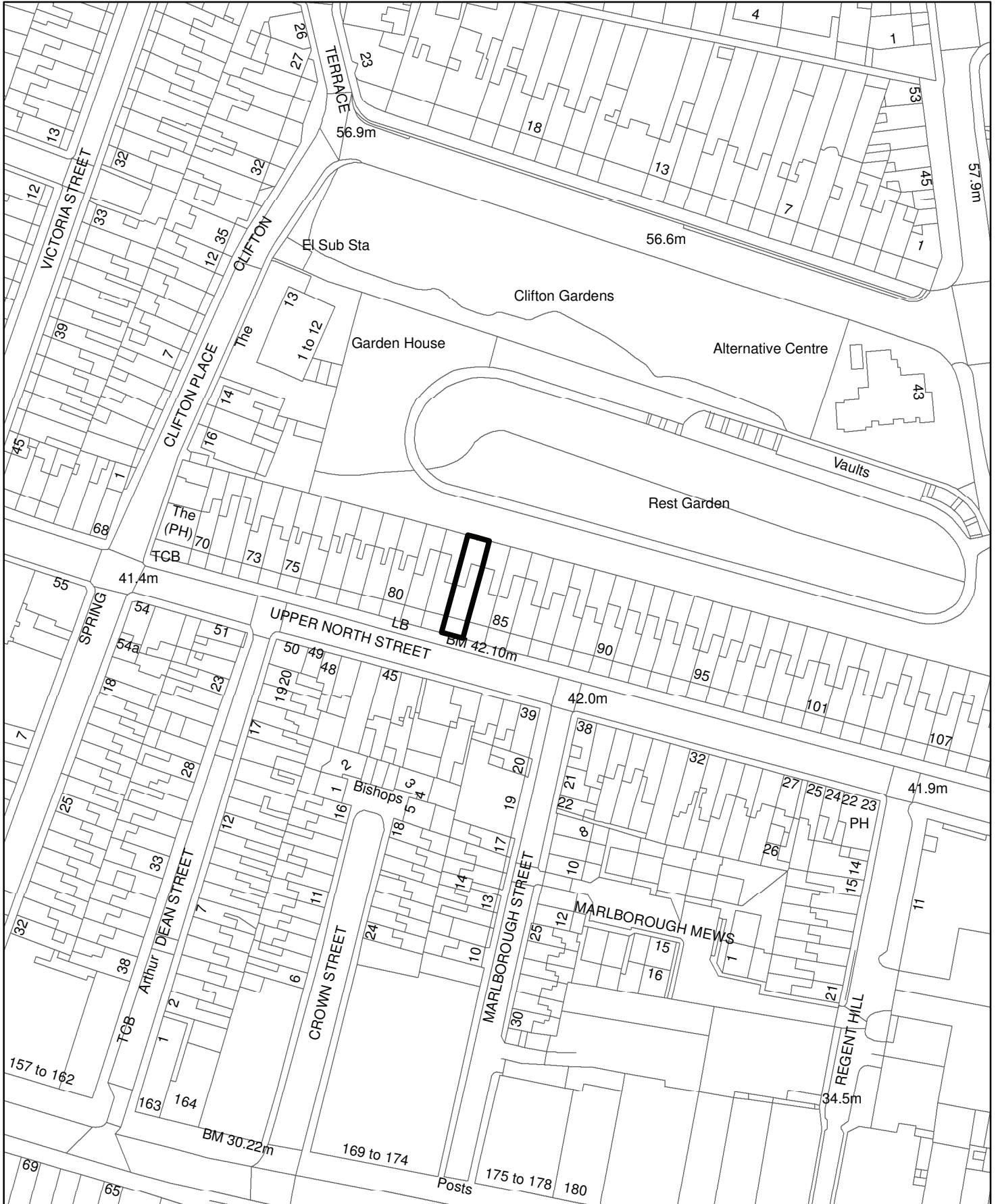
9 CONCLUSION

The proposal to remove the window, which is a historic feature of the property, and to demolish part of the property's historic fabric is contrary to policy and considered to cause harm to this Grade II Listed Building.

10 EQUALITIES IMPLICATIONS

None identified.

BH2011/03803 83 Upper North Street, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

