

<u>No:</u>	BH2011/03786	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	11 Dyke Road, Brighton		
<u>Proposal:</u>	Internal and external alterations to enable use as indoor recreational maze incorporating revised side entrance, external lanterns, fascia sign and associated works.		
<u>Officer:</u>	Clare Simpson	<u>Valid Date:</u>	13/01/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 March 2012
<u>Listed Building Grade:</u>	Grade II		
<u>Agent:</u>	Wayne Gander , Architectural Technician, 98 Durrington Lane, Worthing		
<u>Applicant:</u>	Liquid Lounge UK Limited, 31 Chatsworth Road, Worthing		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and is **MINDED TO GRANT** listed building consent subject to a revised elevation of the proposed courtyard roof to be formed below the eaves of the existing roof detail and subject to the following Conditions and Informatives:

Regulatory Conditions:

- 1) The use hereby permitted shall be discontinued and the land reverted to its former use and the following features shall be permanently removed from the site within five years of the date of this permission.
 - I. The ground floor timber stairs, stair partition wall and balustrade,
 - II. Entrance counter
 - III. Maze partitioning at ground and first floor
 - IV. Removal of soundproofing works undertaken in accordance with condition 3 below

Reason: The applicant has applied for a temporary change of use and several elements of the proposed internal alterations are not suitable as permanent structures within the listed building, and in order to comply with policy HE1 of the Brighton & Hove Local Plan.

- 2) No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway. Existing redundant cabling shall be removed from elevations fronting the highway before the use of the building is commenced.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policy HE1 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

- 3) No works shall commence until full details of the proposed soundproofing and noise mitigation measures for the property are submitted to and approved by the Local Planning Authority in writing. The approved details

shall carried out in their entirety.

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.

- 4) No works shall take place until 1:10 scale sample elevations and 1:1 scale joinery profiles of the proposed external double doors with door surround to match the existing 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.

- 5) No works shall take place until 1:5 scale elevations and profiles of the proposed lanterns, including details of fixtures, have been submitted to and approved by the local planning Authority in writing. 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.

- 6) No works shall take place until 1:10 scale sample elevations and 1:1 scale joinery profiles of the proposed internal doors 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.

- 7) No works shall take place until details of the proposed new stair balustrade 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.

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.

- 8) No works shall take place until the method statement for the removal of paint on the existing painted areas and brick restoration and details of new paintwork for the existing rendered areas have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in accordance with the approved details.

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.

- 9) No works shall take place until details of the proposed front signage, including colour, materials, and method of fixing, have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in accordance with the approved details and retained 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.

Informatives:

1. This decision is based on drawing nos. BT/DR/02b and 'staircase alterations' received on the 20th March 2012 and revised courtyard roof (details awaited)
2. This decision to grant Listed Building Consent has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, 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:-
Much of the internal works are limited to temporary partitioning which is acceptable and would cause no demonstrable harm to the historic character of the listed building. The alterations to the external elevations of the building are acceptable in principle and further detail would be sought by condition. The proposal is considered broadly compliant with policy HE1 of the Brighton & Hove Local Plan.

2 THE SITE

The building is listed Grade II and is located in the Montpelier & Clifton Hill Conservation Area. It is a Victorian neo-gothic style former school building. It was designed by George Summers Clarke for the Swan Downer School for poor girls and built in 1867. The brickwork of the lower walls has been painted and the windows over-boarded. It is not clear when this was done or whether it had listed building consent or planning permission.

There is a modern flat roofed extension to the rear over what would have been the schoolyard. It appears that the first floor had one large hall, which would have been open to the rafters with large roof trusses in the manner of a medieval great hall. There is presently a false ceiling concealing this. The ground floor appears to have had two and possibly three rooms. The interior has much modern partitioning. The principle surviving feature is the solid concrete staircase.

The property is set within a relatively busy commercial area close to Churchill Square Shopping Centre. Adjoining the property to the southeast is Norwood House (9 Dyke Road) which has a ground floor beauty studio and offices above. The closest residential premises are on the opposite side of Dyke Road in Wykeham Terrace which is Grade II listed.

3 RELEVANT HISTORY

BH2011/03785: There is an accompanying full planning under consideration on this agenda.

BH2002/01995/LB: Replacement of flat roof to rear with shallow monopitch roof - approved 09/09/2002.

BH2000/01261/LB: Internal alterations to form balcony over first floor and new wall at ground floor level - approved 13/07/2000.

BH2000/01264/LB: Internal alterations to provide disabled toilet, relocation of bar and removal of timber posts and addition of steel beams to ground floor – approved - 30/06/2000.

4 THE APPLICATION

Listed building consent is sought for the internal and external alterations to enable use as indoor recreational maze incorporating revised side entrance, new canopy to main entrance, external lanterns, fascia sign and associated works

5 CONSULTATIONS

External:

No comments received.

Internal:

Heritage: Comment The building is currently empty and bringing it back into use would be welcome. It is preferable that the first floor hall remains unsubdivided. However the change of use of the building and its associated subdivision to form a maze would be acceptable under Local Plan policy HE1 provided that:-

- i) the necessary partitioning for the maze is of a lightweight ephemeral nature and easily reversible,
- ii) it does not require other associated internal or external alterations that are harmful to the character of the building,
- iii) there are associated compensatory and mitigation works including the removal of the paint from the brickwork, removal of the overboarding of the windows and repair and reinstatement of the leaded lights, repairs to the building's external stonework and removal of the false ceilings internally.

Unfortunately, the current proposals do not satisfy these conditions. Whilst the removal of the paintwork is shown on the drawings, the other mitigations are not and there are other associated internal alterations that are not acceptable i.e. the full height partition at the rear of the first floor, and the alterations to the main staircase at ground floor level and partitioning across the front main entrance hall and the diagonal partition across the side entrance lobby. The other internal alterations are minor and acceptable subject to details.

The widening of the side entrance would be acceptable if it is necessary for means of escape and to secure a viable use of this building, and its door surround moulding details were recreated and the doors were timber ones to match the original gothic style front doors. As there are no details of the doors, it is not possible to say that the latter of these conditions have been met. A 1:10 scale elevation and section of the new door are required. 1:1 scale joinery and moulding sections are also required, but could be dealt with under a condition.

The construction of a large pentice roof canopy on the side elevation is not

acceptable. This feature is poorly related to the building and is out of character with it.

It is not possible to say whether the proposed lamps would be acceptable as there are no details.

Second comments

I note that the canopy to the side has now been deleted.

There is still not enough detail of the widened side door – its surround should be indicated on the elevational drawing and a larger scale elevation at 1:10 scale would also be needed.

The direction of the diagonal boarding of the front door would need to be checked to see if the boarding of the proposed doors is right. It may be that the left-hand door's boarding should be angled to the right.

The section through the main staircase and entrance lobby does not appear to correspond with the plan. It appears that an additional escape stair serving the escape door leading into the front entrance lobby is shown on the section, but this does not appear on the plan. However, in any case, I consider that these alterations to the staircase and entrance hall are not acceptable in principle.

With regards to the alterations to the interior spaces, I note that they are now proposing to retain the existing false ceiling on the first floor. There is no information about whether they are to expose and restore the windows and how. In view of this I consider that there are insufficient benefits to the building to outweigh the harmful impacts.

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):

PPS 5: Planning for the Historic Environment

Brighton & Hove Local Plan:

HE1 Listed Buildings

HE3 Reinstatement of original features on listed building

8 CONSIDERATIONS

Matters relating to the principle of the indoor recreation maze are considered under the accompanying planning application. The sole consideration in the determination of this application relates to the impact of works on the historic character of the listed building.

The proposed alterations to the front and side of the elevations of the property are now limited to new lanterns and new double entrance door on the side elevation. The hanging gibbet and canopy initially proposed have been removed from the application.

Despite requests made during the application process, there is still not enough detail of the widened side door or the lanterns. However given the principle of these external works are acceptable, additional detail can be sought by way of condition.

Towards the rear of the building there is an enclosed courtyard which is proposed to be re-roofed. This is effectively a passage way 1mx 4m in length. An amended drawing is awaited with revised details of this new roof which would be required to be a flat roof running below the eaves of the existing structure and finished in lead.

In regard to proposed internal alterations, discussions have been taking place with the Heritage Team at pre-application stage and during the course of the application. There are means of escape issues with this building, and this appears to be dictating the current layout as proposed. The interior of the building has little merit although the Conservation Officer has identified the merit in the original staircase and entrance lobby and suggested that this element of interior should be left unaltered. Amended plans which have been received during the application process do not propose to remove any part of the staircase, but propose some boarding over of the existing steps and subdivision of the existing entrance lobby. Unfortunately, the current proposals do not fully satisfy the Conservation Officer's view that the existing entrance lobby should remain unaltered.

The principal benefit of this application would be the removal of existing exterior paintwork which would be controlled by condition. The paintwork on the side elevation appears also to attract graffiti and the removal is welcome.

With regards to the other alterations to the interior spaces, there is no objection to the principle of these structures which are temporary and do not affect historic features

Although this is a finely balanced, it is acknowledged that consent is sought for a temporary period only and that the aspects of the works which are causing some concern are easily reversible. For this reason it is considered that subject to conditions, the proposed works will have no demonstrable harm to the listed building and that the proposal would comply with policy HE1 of the Brighton & Hove Local Plan.

9 CONCLUSION

Much of the internal works are limited to temporary partitioning which is acceptable and would cause no demonstrable harm to the historic character of the listed building. The alterations to the external elevations of the building are acceptable in principle and further detail would be sought by condition. The proposal is considered broadly compliant with policy HE1 of the Brighton & Hove Local Plan.

10 EQUALITIES IMPLICATIONS

N/A.

BH2011/03786 11 Dyke Road, Brighton.

