

<u>No:</u>	BH2011/03488	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Conservation Area Consent		
<u>Address:</u>	247-249 & Land Adjacent to 251 Ditchling Road, Brighton		
<u>Proposal:</u>	Demolition of two storey building at 247-249 Ditchling Road, Brighton.		
<u>Officer:</u>	Aidan Thatcher, tel: 292265	<u>Valid Date:</u>	22/11/2011
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	17 January 2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Deacon and Richardson Architects, 87-88 Upper Lewes Road, Brighton		
<u>Applicant:</u>	Mr DJ Cook, Eastwood Farm, Shaveswood Lane, Albourne, Hassocks		

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 resolves to **GRANT** Conservation Area 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) BH12.08 No demolition until contract signed The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.
Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos. 3311.EXG.01 B, 3311.EXG.02 B and 3311.PL.450 received on 14.11.11, drawing nos. 3311.PL.150 B, 3311.PL.151 B and 3311.PL.250 B and window section details (unreferenced) received on 20.02.12.
2. This decision to grant Conservation Area Consent has been taken:

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Brighton & Hove Local Plan, 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:-

The existing buildings that are to be demolished are to be replaced with an acceptable mixed use residential and commercial development as being considered concurrently (BH2011/03487) and thus would not cause any harm to the character or appearance of the Conservation Area.

2 THE SITE

The application site fronts onto the west side of Ditchling Road, close to the junction with Stanford Avenue (Fiveways).

The site comprises a part single and part two storey building located at the end of a uniform terrace of Edwardian two storey properties. It also includes part of an access road to a residential backland development currently under construction. Across this access is currently an open car park area directly fronting Ditchling Road and the site then continues north until it reaches the flank elevation of the shops at Fiveways.

The wider area is predominately residential in character, with the exception of the commercial properties to the north surrounding Fiveways.

3 RELEVANT HISTORY

247-249 Ditchling Road

BH2011/03487: Erection of 2no residential dwellings to replace 247-249 Ditchling Road, Brighton. Erection of two storey office building (B1) and single storey retail/financial and professional services building (A1/A2) over existing basement to North – not yet determined.

BH2011/00024 (CAC): Demolition of 247-249 Ditchling Road, Brighton – refused 20/04/2011.

BH2011/00023: Erection of two 4no bedroom residential dwellings to replace 247-249 Ditchling Road, Brighton. Erection of two storey office building (B1) and single storey office/retail building (A1/A2) over existing basement to North – **refused** 20/04/2011.

249 Ditchling Road

94/1124/FP: Elevational alterations to form new entrance and window – granted 31/01/1995.

245-249 Ditchling Road

BH2008/00557: Part change of use, alteration and extension to form single dwelling house – approved 19/05/2008.

BH2007/04068: Proposed part demolition, part change of use, alterations and extension of buildings to reinstate a single dwelling house at No 245 and

additional office space at No.s 247 and 249. (Resubmission of refusal, BH2006/01608) – appeal for Non-determination dismissed on 09/10/2008.

BH2006/01609 (CAC): Demolition of front elevation of 247 and 249 and lower elevation of 245 – refused 07/07/2006.

BH2006/01608: Demolition and remodelling of lower front elevation of 245 and change of use to wholly residential (single dwelling house). Demolition of front elevations of 247 & 249, and addition of 2 storeys over to provide additional office space (B1) – refused 28/11/2006. Appeal dismissed 16/07/2007.

BH2005/01246/FP: Conversion of No. 245 from office and first floor flat to one 4 bedroom house. Demolition of offices at Nos. 247 and 249 and construction of two 3 bedroom houses. (Re-submission of refused application BH2004/00942/FP) – refused 10/06/2005.

BH2005/01144/CA: Demolition of existing building (comprising offices), at 247 and 249 Ditchling Road (Re-submission following refusal of BH2004/01038/CA) – refused 10/06/2005.

BH2004/01038/CA: Demolition of existing building (comprising offices), at 247 and 249 Ditchling Road – refused 13/05/2004.

BH2004/00942/FP: Change of use of No. 245 from office and first floor flat to 1 no. four bedroom dwelling. Demolition of offices at No. 247 and 249 and the erection of 2 new three storey, 3 no bedroom dwellings – refused 13/05/2004.

4 THE APPLICATION

Conservation Area Consent is sought for the demolition of the existing part single and part two storey buildings at 247-249 Ditchling Road.

The works are required in association with application BH2011/03487 as detailed above.

5 CONSULTATIONS

External:

Neighbours: None received.

6 MATERIAL CONSIDERATIONS

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The development plan is:

- The Regional Spatial Strategy, The South East Plan (6 May 2009);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
- East Sussex and Brighton & Hove Waste Local Plan (February 2006);
- Brighton and Hove Local Plan 2005 (saved policies post 2004).

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.

All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

Brighton & Hove Local Plan

HE6 Development within or affecting the setting of conservation areas

HE8 Demolition in Conservation Areas

The National Planning Policy Framework (NPPF)

8 CONSIDERATIONS

The main issue for consideration is whether the loss of the existing building on the site would adversely affect the character and appearance of the Preston Park Conservation Area.

Policy HE8 of the Brighton & Hove Local Plan states proposals should retain building, structures and features that make a positive contribution to the character or appearance of a conservation area. The demolition of a building and its surroundings, which make such a contribution, will only be permitted where all of the following apply:

- a) supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the owner/applicant);
- b) viable alternative uses cannot be found; and
- c) the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the building's loss.

Demolition will not be considered without acceptable detailed plans for the site's development. Conditions will be imposed in order to ensure a contract exists for the construction of the replacement building(s) and/or the landscaping of the site prior to the commencement of demolition.

The site is located within a prominent and busy location at 'Fiveways' on Ditchling Road, which is a busy road junction and the edge of the conservation area.

The exterior of the commercial building is not considered to enhance the appearance of the conservation area and a suitable redevelopment would be beneficial to the area. The loss of the existing buildings would be welcomed, subject to a suitable redevelopment proposal.

The replacement development is considered to be acceptable as detailed within the report under reference BH2011/03487.

The replacement scheme would preserve the character and appearance of the Preston Park Conservation Area.

Therefore, the loss of the existing buildings is considered to be acceptable.

9 CONCLUSION

The existing buildings that are to be removed are to be replaced with an acceptable mixed use development as being considered concurrently (BH2011/03487) and thus would not cause any harm to the character or appearance of the Conservation Area.

10 EQUALITIES IMPLICATIONS

Not applicable.

BH2011/03488 247-249 & Land adj. to 251 Ditchling Road, Brighton.



Scale: 1:1,250