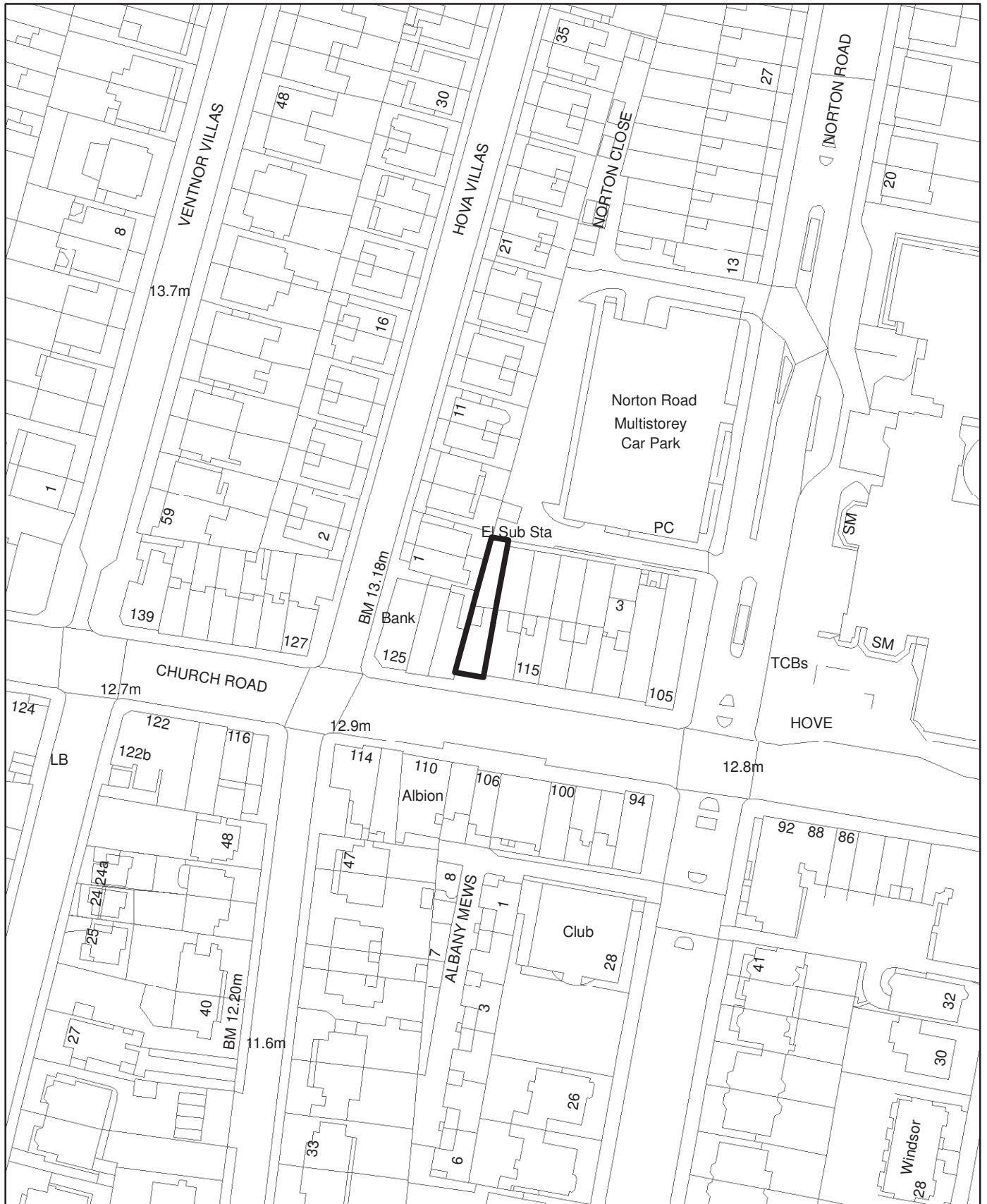


ITEM H

119 Church Road, Hove, BN3 2AF

**BH2013/02075
Listed Building**

BH2013/02075 119 Church Road, Hove



**Brighton & Hove
City Council**



Scale : 1:1,250

<u>No:</u>	BH2013/02075	<u>Ward:</u>	CENTRAL HOVE
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	119 Church Road Hove		
<u>Proposal:</u>	Erection of single storey rear extension.		
<u>Officer:</u>	Helen Hobbs	<u>Valid Date:</u>	08/07/2013
<u>Con Area:</u>	The Avenues CA	<u>Expiry Date:</u>	02 September 2013
<u>Listed Building Grade:</u> Grade II listed building			
<u>Agent:</u>	Mark Hills Architectural Services, Flat 7 8 Eaton Gardens Hove BN3 3TP		
<u>Applicant:</u>	Mr Elvis Kiri, Flat 4 26 Hove Park Villas Hove BN3 6HG		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** Listed Building Consent subject to the Conditions and Informatives set out in section 11

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a mid-terrace building located on the north side of Church Road, Hove. The building is Grade II listed and located within The Avenues Conservation Area. The existing use of the site is a wine bar (A4) / Restaurant (A3). The rear elevation of the property retains most of its original external form.

3 RELEVANT HISTORY

BH2013/02074 FP Erection of single storey rear extension. Under Consideration.

BH2013/00428 Application for variation of conditions 1 & 2 of **BH2010/01342** (Change of Use from Restaurant and Cafe (A3) to a Drinking Establishment (A4) and associated external alterations (Part Retrospective)) that the use will be open to customers and garden be open to customers and staff between the hours of 12.00 - 02.00 (the following day) Monday to Saturday and 12.00 - 01.00 (the following day) on Sunday. Refused 29/04/2013.

BH2012/03725 Erection of single storey rear extension. Refused 23/01/2013.

BH2010/01343: LBC for the replacement of a basement window, railings and wall to external basement stairs, and internal alterations to facilitate new seating areas and TV brackets (Part Retrospective). Approved 23/07/2010.

BH2010/01342 Change of Use from Restaurant and Cafe (A3) to a Drinking Establishment (A4) and associated external alterations (Part Retrospective). Approved 23/07/2010.

BH2010/00429: Change of use from restaurant (A3) to public bar (A4). Withdrawn.

BH2005/05636: LBC for the provision of new garden room at ground floor and extension of basement into light well. Replacement of first floor window with timber sash. Approved 08/11/2005.

BH2005/05637: Provision of new garden room at ground floor and extension of kitchen by covering light well with flat roof. Replacement window at first floor rear. Approved 28/11/2005.

BH2005/01212/FP: Construction of a single storey extension (to replace existing structure). (Resubmission of Refused application BH2004/00627/FP). Refused 14/06/2005.

BH2004/00627/FP: Provision of new toilets, kitchen and winter garden room to replace existing unauthorised toilets and garden room. Refused 20/04/2004.

BH2000/03117/LB: Listed building consent for works associated with change of use from shop to restaurant. Approved 11/01/2001.

BH2000/02913/FP: Change of use from shop (A1) to Restaurant (A3). Approved 11/01/2001.

4 THE APPLICATION

- 4.1 Listed Building Consent is sought for the erection of a rear extension. The proposed extension would be built inline with the rear wall of the outrigger and would have a glazed roof and minimal solid walls in the north elevation.

5 PUBLICITY AND CONSULTATIONS

External

- 5.1 **Neighbours: Eleven (11)** letters of representation have been received from **1 Hove Villas, 3 Hove Villas, 4a Hova Villas, 7 Hove Villas, 9 Hova Villas, 9A Hova Villas, 11 Hova Villas, Flat 2 – 13 Hova Villas, 15A Hova Villas and 39 Langdale Road** objecting the application for the following reasons:

- extended opening hours resulting in noise, disturbance and antisocial behaviour
- the glazed roof would not be soundproofed.
- the number of existing toilets would not be sufficient to service the additional floor space.

A letter of representation has been received from **Councillor Graham Cox** objecting to the application. The letter is attached to this report.

Internal:

- 5.2 **Heritage: Support**

This application follows a number of inappropriate proposals for this property which did not respect the traditional form of terrace development typical of 19th century housing and along with unsympathetic rear extensions of neighbouring properties (built prior to listing) would have further eroded the outrigger arrangement which is characteristic feature that should not be lost. This

proposal is to build in line with the back wall of the outrigger, however the use of glazing for the roof, and minimal solid walls in the north elevation, along with a very slight set back and the single storey height will retain the prominence of the original building allowing the new element to be read as a light weight addition that will not detract from the historic form. The loss of the sliding sash window is regrettable, however the use of this ground floor is severely limited by the position of the toilets and it is considered that the harm caused is acceptable in this instance.

6 MATERIAL CONSIDERATIONS

- 6.1 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.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

HE1 Listed Buildings

HE4 Reinstatement of original features on Listed Buildings

Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

SPGBH13 Listed Building – General Advice

Supplementary Planning Documents:

SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to whether the alterations will have a detrimental impact on the character, architectural setting and significance of the Grade II Listed Building.
- 8.2 Policy HE1 states that proposals involving the alterations, extension, or change of use of a listed building 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 or its setting; and**
 - b) **the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.**

Design:

- 8.3 The application seeks consent for a rear extension, to infill the area between the outrigger and the side boundary. The proposed extension would project a maximum of 2.5m and would have a slight set back from the rear building line of the existing outrigger. It would have an eaves height of 2.4m with a sloping glazed roof with a maximum height of 3.9m. The rear elevation of the extension would mainly contain glazing on account of the proposed double doors which would be the full width of the extension. The minimal amount of exterior walls would be painted render to match the main building.
- 8.4 This listed property has lost some of its internal character, however retains most of its external form which other properties within this terrace have lost. The rear of the property is highly visible from the neighbouring properties, including the residential properties which adjoin the west boundary, and is also highly visible from the Norton Road Car Park to the north of the site.
- 8.5 It is acknowledged that some of the properties within this terrace have had substantial extensions. A number of these do not have recent planning permission and may well have been constructed before this terrace was listed in 1992. There has been a more recent extension, which was granted permission in 2004 (BH2004/03301/LB & BH2004/03390/FP) at No.109 Church Road. This application was for a first floor rear extension above an existing ground floor addition, for which there is no planning history. This application was granted on the grounds that it was considered to make improvements to this ground floor extension. It appears that in this case the original elevation of this property had already been compromised by the ground floor extension which is not true of the application site, which still has its original plan form in tact.

- 8.6 There have been a number of inappropriate proposals for a rear extension at this site, which have recently been refused. The previous proposals involved a footprint that would wraparound the outrigger and as such would have failed to respect the traditional form of the terrace development and would have eroded the original arrangement. The character of the outrigger is a feature that should not be lost.
- 8.7 The Heritage Officer has stated that the proposed extension proposes to build in line with the back wall of the outrigger, however with the use of glazing for the roof, and minimal solid walls to the north elevation, along with the slight set back, will retain the prominence of the original building allowing the new element to be read as a light weight addition that will not detract from the historic form.
- 8.8 The proposal would result in the loss of a traditional sliding sash window on the rear elevation which is regrettable, however the Heritage Officer states that the use of this ground floor is severely limited by the position of the toilets and it is considered that the harm caused is acceptable in this instance.
- 8.9 The rear of this property currently has a basement light well with steps leading up to the garden level. A fence surrounds the steps which partitions off this area from the main garden and creates a storage space. The proposed extension would result in the light well being enclosed and the steps being removed. This area as existing appears overly cluttered and the fencing is an incongruous feature. The proposed extension would therefore improve the appearance of this corner and the enclosing of the basement level is considered acceptable.
- 8.10 No large scale details of the proposed doors or the roof frame have been submitted with the application and therefore these will be required by condition, to ensure the satisfactory appearance of the development.
- 8.11 The proposed extension is considered to be a sympathetic addition that would not harm the historic character and appearance of the Grade II listed building.

9 CONCLUSION

- 9.1 The proposed extension is considered to be a sympathetic addition that would not harm the historic character and appearance of the Grade II listed building.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

Regulatory Conditions:

- 1) The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

PLANNING COMMITTEE LIST – 18/09/13

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The external finishes of the external wall hereby permitted shall match in material, colour, and texture those of the existing building.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

- 3) No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the doors and roof frame 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

Informatives:

- 1) This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Location/ordnance plans	1211-01		19th June 2013
Existing floor plans	1211 02		19th June 2013
Proposed floor plans	1211 03		19th June 2013
Rear (north) elevation as existing	1211 04		19th June 2013
Rear (north) elevation as proposed	1211 05		19th June 2013
East and west elevations as existing	1211 06		19th June 2013
East and west elevations as proposed	1211 07		19th June 2013
Proposed extension	1211 08		19th June 2013
Existing north elevation	1211 09		19th June 2013
Proposed north elevation	1211 10		19th June 2013

- 2) This decision to grant Listed Building Consent has been taken:

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development 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 proposed extension is considered to be a sympathetic addition that would not harm the historic character and appearance of the Grade II listed building.



**Brighton & Hove
City Council**

PLANS LIST – 18 SEPTEMBER 2013

COUNCILLOR REPRESENTATION

Sent: 29 July 2013 07:51

To: Helen Hobbs

Subject: RE: 119 Church Road Hove, Application reference BH2013/02074 and 02075

Helen Hobbs
Planning Department
Brighton and Hove City Council
Hove Town Hall
Norton Road
Hove
BN3 3BQ

Helen

I am emailing in connection with this application as a local resident (of 53 Hova Villas) rather than as a Councillor.

I have no objection to the proposed physical extension to the building.

I do though note there is another attempt to extend the opening hours of the bar. This would have a detrimental impact on nearby residents, including noise and disturbance. The opening hours should remain as per what was approved in 2010 (BH2010/01342). Any extension to the hours would be unreasonable.

I ask that the current opening hours of the 119 Church Road are not extended and in addition that the Council ensures the currently approved hours are complied with.

Many thanks

Graham

Graham Cox
Councillor for Westbourne Ward

