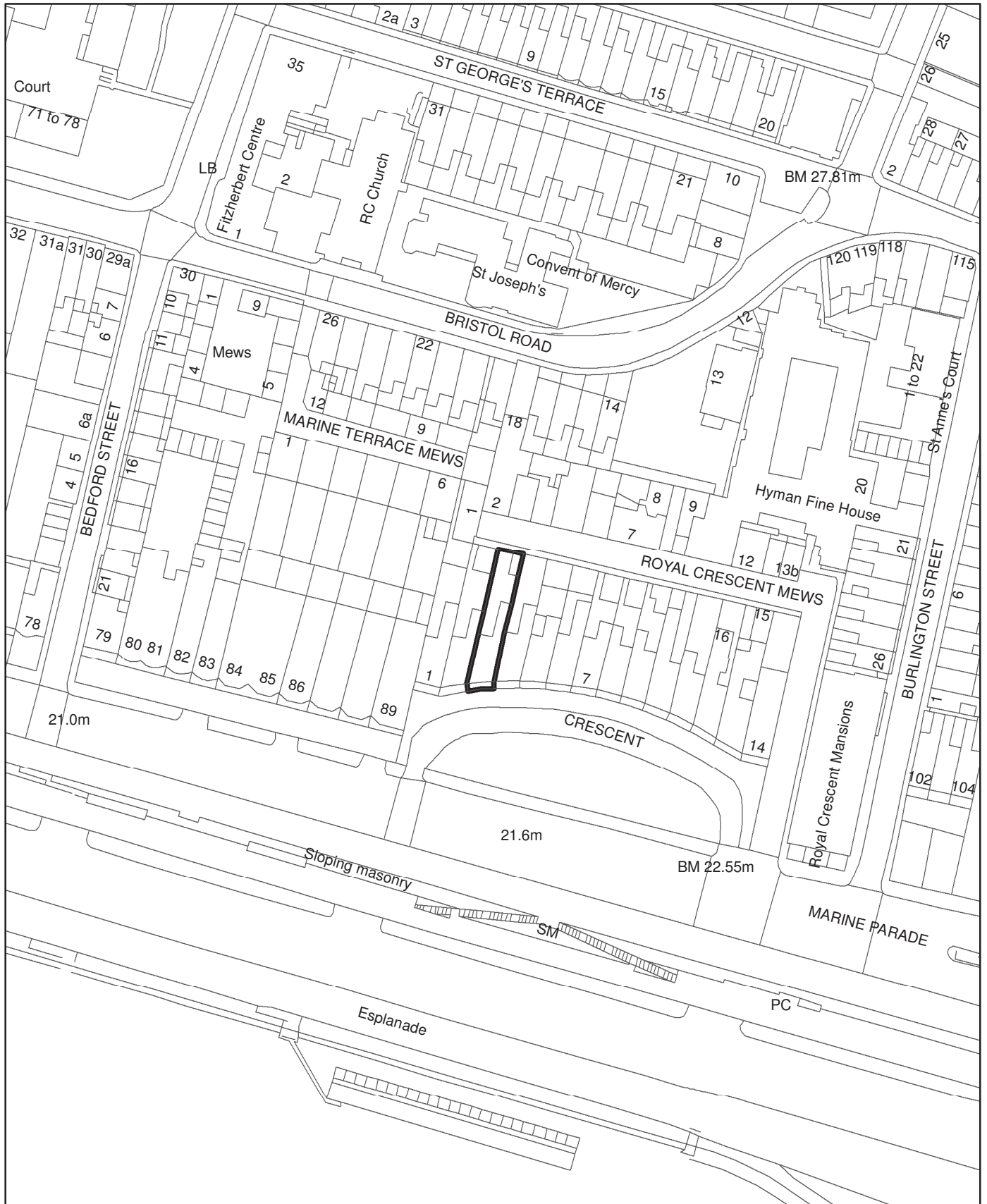


ITEM L

**3 Royal Crescent, Brighton,
BN2 1AL**

**BH2013/02140
Listed Building**

BH2013/02140 3 Royal Crescent, Brighton



**Brighton & Hove
City Council**



Scale : 1:1,250

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<u>No:</u>	BH2013/02140	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	3 Royal Crescent Brighton		
<u>Proposal:</u>	Demolition of existing garage/store in rear garden and erection of garden room.		
<u>Officer:</u>	Andrew Huntley	<u>Valid Date:</u>	24/06/2013
<u>Con Area:</u>	East Cliff Conservation Area	<u>Expiry Date:</u>	19 August 2013
<u>Listed Building Grade:</u>	Grade II*		
<u>Agent:</u>	Acronym A & D Ltd, 262 Ditchling Road Brighton BN1 6JF		
<u>Applicant:</u>	Ms Helen Smith, 3 Royal Crescent Brighton BN2 1AL		

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 site is located on the northern side of Marine Parade. The property on the application site is a 4 storey Regency terrace, which forms part of a crescent of 14 houses. 3 Royal Crescent is a grade II* listed building in the East Cliff Conservation Area. The rear of the property fronts Royal Crescent Mews, which has a mixed character but is undeveloped on the southern side. The rear garden boundary to 3 Royal Crescent extends to the frontage of Royal Crescent Mews and includes a garage dating from the late 1950s.

3 RELEVANT HISTORY

- BH2013/02139** - Demolition of existing garage/store in rear garden and erection of garden room. Undetermined – Report also on this agenda.
BH2006/00628 - Render repairs, joinery repairs and decoration work to rear elevation. Approved 15/05/2006.
BH2006/00188 - Alterations and repairs to front elevation to match original (existing). Approved 21/03/2006.
BH2006/00145 - Alterations and repairs to front elevation to match existing design. Approved 15/03/2006.
BH2004/03028/LB - Internal works to create a maisonette over basement flat and external works to front elevation to refurbish balcony railings, front door/portico and joinery. Approved 18/01/2005.

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BH2004/03027/FP - Change of use from 4 no. self-contained flats to a maisonette over basement (retention of flat on lower ground floor). Approved 31/01/2005.

BH2003/03636/LB - Removal of corroded cast-iron fire escape ladder from rear elevation. Approved 05/02/2004.

4 THE APPLICATION

- 4.1 Listed Building Consent is sought for the demolition of existing garage/store in rear garden and erection of a garden room.

5 PUBLICITY AND CONSULTATIONS

External

- 5.1 **Neighbours:** 8 letters of representation have been received from **1, 2, 3, 5, 6 and 7 Royal Crescent Mews** and one representation on behalf of **4 Royal Crescent Mews** objecting to the application for the following reasons:

- Loss of flint wall.
- Loss of roses and mature planting.
- Garden room does not require enlarged timber doors and a level access.
- The creation of a garage is unacceptable and would reduce parking and turning space on the mews.
- Parking in Royal Crescent Mews is reserved for residents of the Mews only and not for residents of Royal Crescent.
- The proposal would obstruct the pavement and roadway.
- Modern design not in keeping with the listed building or conservation area.
- The glazed roof lantern would be obtrusive and cause a loss of privacy.
- The glazed roof lantern would cause glare at night when the lights were on.
- Sunlight would be reflected from the lantern and through neighbour's windows.
- Concerns over noise levels.
- Lack of consultation.
- Proposal is a fire danger.
- Level access would create drainage problems.
- A condition should be attached to ensure it remains a garden room.

- 5.2 **English Heritage:** The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Internal

- 5.3 **Heritage:** This proposal includes improvements to the detailing of the openings in this part of the rear boundary wall, as well as traditional timber doors fronting Royal Crescent Mews, the new structure behind will not be visible from the Mews and as such the character of this frontage is preserved or improved. The contemporary treatment of the internal elevations is considered an honest approach and will not detract from the special qualities of the listed building.

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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

Supplementary Planning Guidance:
SPGBH13 Listed Buildings General Advice

Supplementary Planning Documents:
SPD09 Architectural Features
SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)
SS1 Presumption in Favour of Sustainable Development

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8 CONSIDERATIONS & ASSESSMENT

- 8.2 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.
- 8.3 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 and Character:

- 8.4 The proposal is for a new garden room, which replaces an existing garage store. The demolition of the existing garage/store is considered acceptable as this is a relatively modern intervention of a poor design and is not in keeping with the parent property.
- 8.5 The proposed garden room is of a modern design apart from the elevation on Royal Crescent Mews, which is more traditional and as the new structure behind will not be visible from the Mews, the character of this frontage is considered to be preserved.
- 8.6 The rear of the crescent along Royal Crescent Mews has been considerably altered from what it would have originally been, with many properties having large garages. The rear of No. 3 does retain some of the original flint wall between the garage and pedestrian access door where there is also a concrete patch up of the wall. While the rear wall is certainly not intact, it does contribute positively to the character and appearance of Royal Crescent Mews and the East Cliff Conservation Area. While the proposal would result in the loss of part of the flint wall, it also includes improvements to the detailing of the openings in this part of the rear boundary wall, as well as timber doors fronting Royal Crescent Mews.
- 8.7 The application does lack some detail and it is not clear how the doors will open and therefore, exactly how the doors will look. However, it is considered that this could be satisfactorily covered via a suitably worded planning condition to ensure that the timber doors onto Royal Crescent Mews have a traditional appearance and are therefore, in keeping with the character and appearance of the listed building. Weighing up the loss of some of the flint wall against the improvements to the detailing of the openings, it is considered that the alterations to the rear of No.3 Royal Crescent Mews would preserve the character and appearance of the listed building.
- 8.8 It is considered that it is necessary to ensure that the new flint and brickwork matches the character and detailing of the original wall in order to preserve the character and appearance of the listed building. In addition, a sample of the stone proposed for the lintels above the doors would be required to ensure that

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they had the necessary high quality finish. This detailing can be achieved by suitably worded conditions.

- 8.9 The contemporary treatment of the internal elevations is considered an honest approach and would clearly read as a modern intervention rather than some form of pastiche. It is considered that the proposal will not detract from the special interest or setting of the listed building. While the proposed garden room has a greater mass and bulk than the existing building, it is not of a scale which is out of keeping with its surroundings or harmful to the Grade II* listed building.
- 8.10 The proposal would result in the planting over the existing building being removed, and this undoubtedly would have an impact on the appearance of the building. However, the planting over the garage could be removed at anytime and the Local Planning Authority has no control over this. While the planting on the Royal Crescent Mews side of the boundary is certainly attractive, and its loss would be disappointing, this can not be a reason to refuse listed building consent.
- 8.11 Therefore, it is considered that the proposal would not be out of keeping and detrimental to the architectural and historic character of the Grade II* listed building. As such, the proposal is in accordance with Local Plan Policy HE1, SPD12 Design Guide for extensions and Alterations and SPGBH13 Listed Building – General Advice.
- 8.12 A number of the objections received do not relate to material considerations for listed building consent applications. The other objections are considered within full planning application BH2013/02039.

9 CONCLUSION

- 9.1 The proposal would not be out of keeping and detrimental to the architectural and historic character of the Grade II* listed building. As such, the proposal is in accordance with Local Plan Policy HE1, SPD12 Design Guide for extensions and Alterations and SPGBH13 Listed Building – General Advice.

10 EQUALITIES

- 10.1 None identified.

11 CONDITIONS / INFORMATIVES

- 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) No works shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the works hereby permitted have been submitted to

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and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

- 3) No works shall take place until full details of the proposed doors onto Royal Crescent Mews including 1:20 scale sample elevations and 1:1 scale joinery profiles 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 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 the drawings listed below:

Plan Type	Reference	Version	Date Received
Location Plan	380/PA1		24.06.2013
Existing Rear Garden Plan	380/PA2		24.06.2013
Existing Sections and Elevations	380/PA3		24.06.2013
Existing and Proposed Rear Elevation	380/PA4		24.06.2013
Proposed Rear Garden Plan	380/PA5		24.06.2013
Proposed Sections and Elevations	380/PA6		24.06.2013
Proposed Details	380/PA7		24.06.2013
Location Plan	380/PA1		24.06.2013

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 proposal would not be out of keeping and detrimental to the architectural and historic character of the Grade II* listed building. As such, the proposal is in accordance with Local Plan Policy HE1, SPD12 Design Guide for extensions and Alterations and SPGBH13 Listed Building – General Advice.