

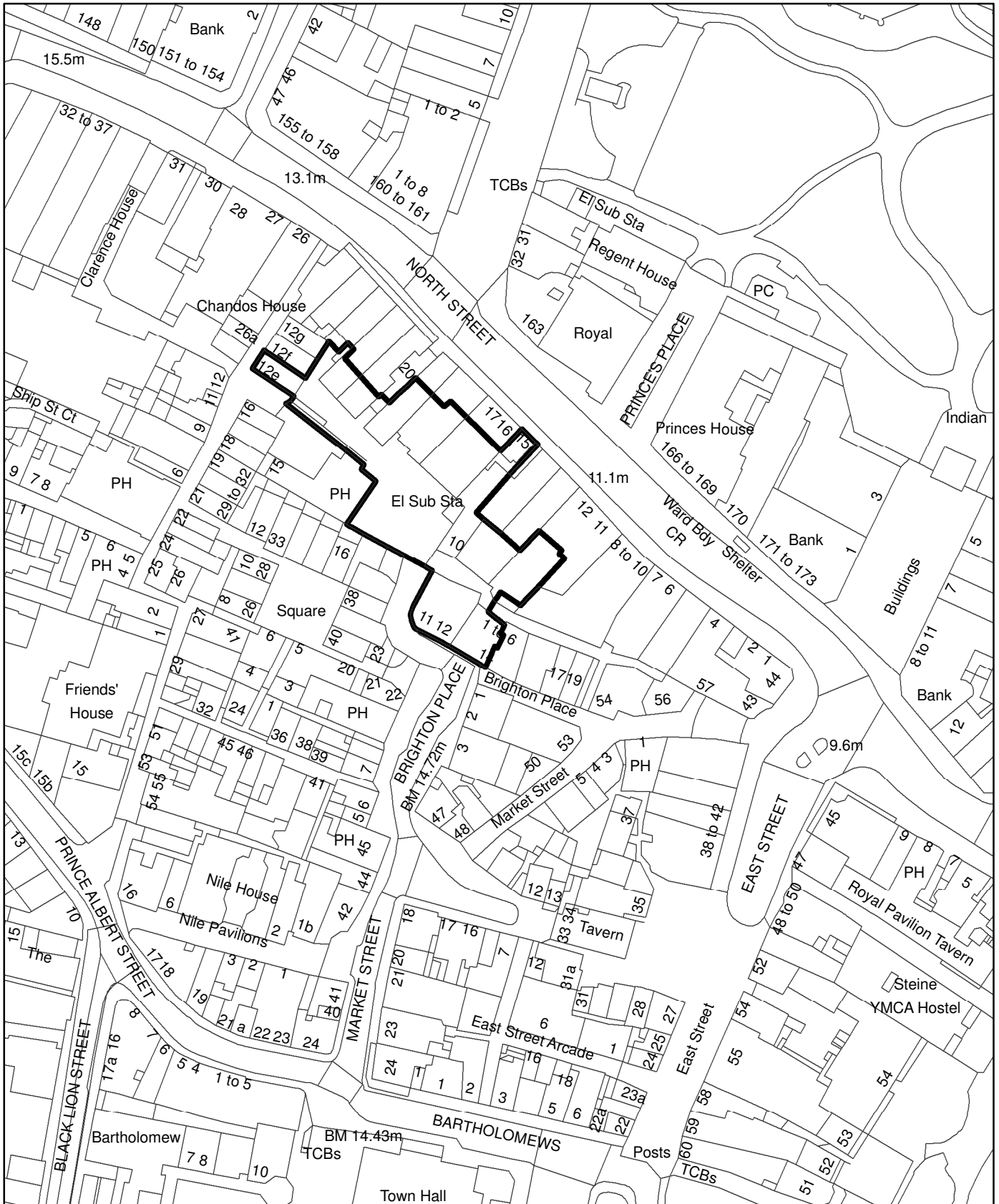
# **ITEM E**

**13-22 North Street, 12D Meeting House Lane  
and 11-14 Brighton Place, Brighton**

**BH2013/00711  
Conservation area consent**

**11 DECEMBER 2013**

# BH2013/00711 13-22 North Street 12d Meeting House Lane, & 11-14 Brighton Place, Brighton



**Brighton & Hove  
City Council**



Scale : 1:1,250

<b><u>No:</u></b>	<b>BH2013/00711</b>	<b><u>Ward:</u></b>	<b>REGENCY</b>
<b><u>App Type:</u></b>	<b>Conservation Area Consent</b>		
<b><u>Address:</u></b>	<b>13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops</b>		
<b><u>Officer:</u></b>	Steven Lewis Tel 290480	<b><u>Valid Date:</u></b>	06 March 2013
<b><u>Con Area:</u></b>	Old Town	<b><u>Expiry Date:</u></b>	01 May 2013
<b><u>Listed Building Grade:</u></b>	Grade II		
<b><u>Agent:</u></b>	Morgan Carn Partnership, Blakers House, 79 Stanford Avenue Brighton BN1 6FA		
<b><u>Applicant:</u></b>	West Register (Property Investments) Ltd, 280 Bishopsgate London EC2M 4RB		

## 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 be **MINDED TO GRANT** Conservation Area Consent subject to no further grounds for objection being received prior to the public consultation period expiring and the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The development comprises buildings, the rear of buildings, land and open space located upon North Street, Brighton Place and Meeting House Lane in Brighton. Much of the site entails buildings and land formerly used within Hannington's department store which closed in the early 2000s.
- 2.2 The site is wholly contained within the Old Town Conservation Area whose development pattern dates back to the original historic fishing port. The Old Town Conservation Area is characterised by irregular linear roads running predominately north to south and twittens (alleyways) running east to west. The old street blocks are rectangular at the northern end of Old Town, with a bend eastwards with North Street angled approximately south eastwards, with some modern later exceptions such as Prince Albert Street.
- 2.3 The area is characterised by diversity of building sizes, heights, periods and styles. There is predominance of 2 to 4 storeys with close grained form and some much larger buildings inserted later and dating from the mid 19<sup>th</sup> century to more recent, such as the Hippodrome, Town Hall and Bartholomew Square development. There is little surviving development that pre dates the 16<sup>th</sup> Century, with much of the buildings appearing to date from 18<sup>th</sup> and 19<sup>th</sup> centuries; although it is possible that Old Town does include earlier building or part of building that have been masked by later remodelling. The application is more closely located with the area immediately to the south of the site, known

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as The Lanes; which is characterised by a network of narrow twittens and smaller scale building.

- 2.4 The application site more specifically comprises the buildings at the rear of North Street. Many of the rear portions of the buildings at the rear of North Street are largely later unsympathetic additions, which are not of architectural or historic merit.
- 2.5 The exceptions to this are no.15 North Street (Timpsons) and a gambrel roofed flint and brick building behind 14 North Street. These two buildings are likely the oldest in North Street, are of architectural or historical merit and make an important contribution to the character of the Old Town conservation area. Both were placed on the Statutory List Grade II by English Heritage in September 2013.

### 3 RELEVANT HISTORY

This application has been submitted to run concurrently with 5 other applications.

**BH2013/00710:** Creation of new shopping lane extending from Meeting House Lane to Brighton Place. Demolition of existing ground floor stores and first floor structures at rear of North Street shops. Adaptation and extension of existing shops on North Street to create 8 shop units to north side of new lane, reconfiguration of North Street shops. Construction of 7 new 2 storey flats over shops around a courtyard. Construction of 6 new shops to south side of new lane with 2 floors of offices over. Adaptation of 12D Meeting House Lane to provide additional shop front onto lane. Blocking up of openings in end wall of Puget's Cottage following demolition of adjoining structures (Amended description) - Under consideration.

**BH2013/00715:** Demolition of existing buildings at 21, 22 and 23 Brighton Square and demolition of existing two storey apartments at 37, 38, 39 and 40 Brighton Square. Conversion of existing A1 and A3 units to create new A3 units at ground floor level to East of Brighton Square with new car park access. Construction of a 26no room boutique hotel above new A3 units with entrance at ground floor level and bedroom accommodation to 3no floors above. Erection of new 4no storey building on site of 22 Brighton Square providing A1 retail at ground floor level and 3no flats above. Reconfiguration works to lane connecting Brighton Place to Brighton Square and other associated works – Under consideration.

**BH2013/00716:** Demolition of existing buildings at 21, 22, 23, 37, 38, 39 and 40 Brighton Square – Under consideration.

**BH2013/03589:** Alterations incorporating reinstatement of South facing gable wall and blocking up of first floor doorway – Under consideration.

### 4 THE APPLICATION

- 4.1 Conservation Area Consent is sought for the demolition of existing buildings 13 - 22 North Street 12D Meeting House Lane and 11-14 Brighton Place Brighton.
- 4.2 It should be noted that as a result of recent listings and to reflect changes to development proposals the application to demolish buildings has been amended to omit the buildings at 15 North Street (Timpsons) and at the rear of 14 North Street (Pugets Cottage)

## 5 PUBLICITY & CONSULTATIONS

### External:

#### Neighbours:

- 5.1 None received

#### 5.2 CAG:

The Group has no objections on conservation grounds to the application for demolition of existing building at 11 Brighton Place and demolition of existing stores and first floor structures to rear of North Street shops.

#### English Heritage:

- 5.3 The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
- 5.4 In previous comments whilst there was no objection in principal, it was considered that further opportunities to enhance the conservation area could be achieved. It was commented that whilst the creation of the new lane would result in the loss of some historic fabric, but on balance it is considered that the public benefits would outweigh the harm in this case.
- 5.5 Concerns had been raised with regards to the loss of 15 North Street and further justification should be submitted. Subject to the LPA accepting the loss of the building, appropriate recording should be secured by planning condition.

### Internal:

#### Heritage:

- 5.6 The site falls within the Old Town Conservation Area. Number 15 North Street and Puget's Cottage are Grade II Listed Buildings, together with the linking brick paved yard or twitten. Several buildings to the south of the site in Brighton Place and all the buildings to the south and west of the 1960s Brighton Square development, on Meeting House Lane, are listed. The site also falls within an Archaeological Notification Area (ANA)
- 5.7 The Old Town's character is set out in the document Conservation in the Old Town (1979). Whilst this needs updating, it remains a valid material consideration. The original historic small fishing port of Old Town is laid out on an irregular linear grid pattern with the roads oriented predominantly north-south and with a number of pedestrian twittens running east-west. The main street blocks are exactly rectangular and at the northern end, the grid is warped eastwards and North Street is angled slightly south-eastwards. The area is characterised by a diversity of building sizes, heights, periods and styles but is predominantly 2 – 4 storeys in height and close-grained with some much larger buildings inserted from the mid 19<sup>th</sup> century to the present such as the Town Hall, The Hippodrome, and the Bartholomew Square development. The area immediately to the south of the site, known as The Lanes, is characterised by a network of narrow twittens and smaller scale buildings.

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- 5.8 Most of the rear parts of the buildings on North Street are modern later extensions which are of no architectural or historic merit and detract from the character of the Conservation Area. The exceptions are the Timpson's building - 15 North Street - and the gambrel-roofed, part flint and brick building behind it, known as Puget's Cottage, which currently comprise part of the rear accommodation of number 14 North Street. These two buildings are two of the oldest if not the oldest buildings in North Street. Puget's Cottage is currently hidden from public view.
- 5.9 Numbers 11-14 Brighton Place form part of the Brighton Square development. The Brighton & Hove Pevsner guide says of Brighton Square: –  
*“This is of 1966 by Fitzroy Robinson & Partners, sensitive infill, shops and flats of load-bearing brick placed over a reinforced concrete basement car park, the entrance to which is discretely tucked away. Architecturally of its time, with projecting upper bays clad in tile hanging and shiplap boarding, successfully in keeping to the style and variety of The Lanes. It was well received when built, earning a Civic Trust award, and is still a model for urban renewal. In the centre of the square a fountain and Dolphin sculpture by James Osborne.”*
- 5.10 The portal building has been altered and shop units extended into its arched openings. The buildings around the Square have had their timber lapboarding replaced with artificial composite boarding and fibre cement fascia boarding and the original timber windows have been replaced in white powder coated aluminium albeit all in the same style. Most of the shop fronts and their fascias and many of their pilasters have been altered in an unsympathetic way and the ground floor facades have lost their architectural unity. The fountain and dolphin sculpture are later insertions. 11 Brighton Place is unauthorised partially constructed building which detracts from the character of the Conservation Area and its demolition requires no justification.

### *The Proposal and Potential Impacts*

- 5.11 This application is part of a wider development including Brighton Square to the south. Whilst the two need to be considered together, it is also important to consider their impacts in the event that one or the other failed to go ahead and it is essential that they work in urban design and architectural terms as stand alone schemes. The Masterplan is very much welcomed and is considered to be a comprehensive document that clearly illustrates the historic context and the design rationale and development for the three inter-linked but independent applications. This document is very much welcomed.
- 5.12 The creation of a new twitten or lane between Brighton Place and Meeting House Lane, with retail frontages at ground floor level, in place of the unsightly service yard and modern buildings is most welcome and would substantially enhance the appearance and character of the Old Town Conservation Area. It would offer positive urban design, social and economic benefits to Old Town in terms of increased permeability, attractiveness, enhanced public realm and small retail units. The heights and the grain of the development are considered appropriate to this part of the Conservation Area and the traditional design approach is considered appropriate in this case. The variety of historic period designs interspersed with several contemporary designs reflects the varied character of

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the area. All styles of architecture are valid, provided that they are sympathetic to the character of the area and are not anachronistic or pre-date the area's development. The crucial issue is the quality of the design, detailing and materials. The proposed palette of materials and the traditional detailing as shown on the elevations are based on historic examples in the area and are appropriate to Old Town but will need to be carefully controlled by conditions.

- 5.13 Number 11 Brighton Place is an unauthorised partially constructed building which detracts from the character and appearance of the Conservation Area and its demolition requires no justification. Similarly the demolition of the existing flat roofed stores and first floor additions to the North Street buildings can only be welcomed.
- 5.14 With regard to the Listed Buildings, number 15 North Street would be retained unaltered. Puget's Cottage would be subject to minor alterations that would not affect its special interest. More crucially, this remnant of the early development of Old Town would be brought back into public view and visually integrated with the new lane. Its significance would therefore be better revealed by the development and its setting would be substantially enhanced, including by the demolition of the flat roofed building to the south, the restoration of the gable end and the construction of a new flint wall. The setting of other nearby listed buildings, in Brighton Place and Meeting House Lane, would be preserved or in some cases enhanced.
- 5.15 There would be potential concern about the blank south flank wall of Unit 16 if the associated development of Brighton Square failed to go ahead, but this could be overcome by blind window recesses and storey bands if necessary and in any case that concern does not outweigh all the positive heritage benefits of the proposals.

## **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) is a material consideration.

- 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

HE8 Demolition in Conservation Areas

#### Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main issue for consideration is whether the loss of the existing buildings on the site would adversely affect the character and appearance of the Old Town Conservation Area.
- 8.2 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 areas character and would produce substantial benefits that would outweigh the building's loss.

#### *Buildings at the rear of North Street*

- 8.3 Most of the rear parts of the buildings on North Street are modern later extensions which are of no architectural or historic merit and detract from the character of the Conservation Area.
- 8.4 The extensions vary heavily in terms of their scale, height, levels, materials and presently have a very poor outward appearance. Pedestrian access to link Brighton Place and Meeting House Lane is available via a through route but not clearly signed, well used or attractive. The appearance of this through route is therefore poor and harms the setting of the Old Town Conservation Area.



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- 8.5 The exceptions are the Timpson's building – No. 15 North Street and the gambrel roofed part flint and brick building behind it which currently comprise part of the rear accommodation of No. 14 North Street known as Pugets Cottage. These two buildings are two of the oldest if not the oldest buildings in North Street. Both are of architectural and historic interest and make an important contribution to the character of the Conservation Area. English Heritage listed both buildings Grade II in September 2013 and as such the demolition of 15 North Street has been omitted and the development proposal amended to retain both buildings.
- 8.6 Demolition: On the basis that the redevelopment proposals to build a lane to link Meeting House Lane and Brighton Place with a combination of uses including Retail, Commercial, Office and Residential with a high quality redevelopment are acceptable, it is considered that the proposals would produce substantial benefit to the Old Town conservation area and would improve the appearance of the area and compensate for the loss of the extensions.
- 8.7 Conditions should be imposed in order to ensure a contract exists for the construction of the replacement building and/or the landscaping of the site prior to the commencement of demolition.

### 9 CONCLUSION

- 9.1 The redevelopment proposal to build a new lane to link Meeting House Lane and Brighton Place with a combination of uses including Retail, Commercial, Office and Residential with a high quality redevelopment are acceptable, it is considered that the proposals would produce substantial benefit to the Old Town Conservation Area and would improve the appearance of the area and compensate for the loss of the extensions.

### 10 EQUALITIES

- 10.1 None identified

### 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

#### 11.1 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. 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.

#### 11.2 Informatives:

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1. This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Plan	1239 P 200	-	06/03/2013
Block Plan	1239 P 201	-	06/03/2013
Existing Ground Floor Plan	1239 P 203	-	06/03/2013
Existing First Floor Plan	1239 P 204	-	06/03/2013
Existing Second Floor Plan	1239 P 205	-	06/03/2013
Demolition Ground Floor Plan	1239 P 253	A	18/10/2013
Demolition First Floor Plan	1239 P 254	A	18/10/2013
Demolition Second Floor Plan	1239 P 255	A	18/10/2013
Demolition Elevation 1	1239 P 270	-	06/03/2013
Demolition Elevation 2	1239 P 271	-	06/03/2013
Demolition Elevation 3	1239 P 272	A	18/10/2013
Demolition Elevation 4	1239 P 273	A	18/10/2013

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 redevelopment proposal to build a new lane to link Meeting House Lane and Brighton Place with a combination of uses including Retail, Commercial, Office and Residential with a high quality redevelopment are acceptable, it is considered that the proposals would produce substantial benefit to the Old Town Conservation Area and would improve the appearance of the area and compensate for the loss of the extensions.