



---

# Appeal Decision

Site visit made on 3 February 2014

**by R Barrett Bsc Msc Dip UD Dip Hist Cons MRTPI IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5 March 2014**

---

**Appeal Ref: APP/Q1445/E/13/2202773**

**22 Lewes Crescent, Brighton, East Sussex BN1 1GB**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr Christopher Goss against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/00261, undated, was refused by notice dated 8 May 2013.
  - The works proposed are insertion of wheelchair platform lift to link flat 7 to flat 9 and associated alterations. Proposed additional shower room in flat 9 and associated alterations.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. Despite the appeal site address above, which is taken from the application form, it is clear to me that the proposed works relate to flats 7 and 9 at 22 Lewes Crescent. This is confirmed on the decision notice and the appeal form, and I am making my decision accordingly.

## Main Issue

3. The effect of the proposed lift on the special architectural or historic interest of the listed building.

## Reasons

4. The appeal site is a grade I listed building. It forms part of an early nineteenth century, attractive, curved terrace, of similar properties, that front onto a park. It was designed by Amon Wilds and Charles Augustin Busby for the developer Thomas Kemp. Properties in the terrace are grade I listed. With Classical proportions and detailing, the listed building and its terrace provides an elegant composition together with the terrace on the opposite side of the park.
5. The appeal site was built as one house. It has subsequently been divided into flats and joined with its neighbour No 20. Generally the interior has been much altered over time, including the interior of flats 7 and 9. In those flats alterations include some adjustment to the historic plan form, to insert a corridor, some subdivision of the principal front rooms and loss of a secondary staircase. In the storage room in flat 7, in which the proposed lift would be sited, a chimney breast has been removed, suspended ceilings inserted and the cornice removed. In the bedroom above it, in flat 9, the chimney breast is retained, although the recess on one side has been filled in. However, despite these alterations, the historic plan form, with the status of rooms varying

through the floors of the building, can still be appreciated. The rooms are generally regular in shape, and what remains of the historic features and details are consistent with the original layout and contribute to the significance of the listed building.

6. The proposal to insert a lift would necessitate a sizable vertical opening within both flats. This would result in loss of some areas of ceiling and floor, works which would not be reversible. In addition, the insertion of the lift frame and support works within each room would alter their existing regular shape and would cause further harm to the historic layout. It would be sited adjacent to an original chimney breast in flat 9 and, as it would cover a good deal of it, would detract from it and reduce an understanding of the structure and features of the listed building. Even though the chimney breast has been removed where the lift is proposed in flat 7, the siting of the lift so close to its former position, would reduce the possibility of it being reintroduced in the future. Moreover, the proposed lift, would be a very modern insertion, with a modern appearance, which would detract from the historic character of the rooms affected.
7. In addition, to support the proposed lift and frame, a diagonal supporting beam, running from an external wall to the internal centrally sited structural wall, is proposed, which would be positioned within the void between the original ceiling and the later suspended ceiling. This, together with other structural measures proposed, would represent a substantial structural alteration to the building. Whilst its structural integrity would be assessed under the Building Control Regime, the extent of structural works required and their invasive nature add to my concern.
8. I conclude that the appeal proposal would fail to preserve the special architectural interest of the listed building and would fail to accord with Brighton and Hove Local Plan (2005) Policies HE1 and HE4. These, together, promote proposals that would not have an adverse effect on the architectural and historic character or appearance of the interior or exterior of a listed building and promote the reinstatement of their original features. It would also be contrary to Brighton and Hove Supplementary Planning Guidance Note 11: *Listed Building Interiors*, which on page 4, indicates that any new layout must respect the original plan form and room proportions and should not divide the floor into ill proportioned irregular spaces.

#### *Public Benefits*

9. Paragraph 132 of the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of heritage assets, as they are irreplaceable and any harm should require clear and convincing justification. In this case, I find that the harm identified to the listed building, would, in the context of the significance of the heritage asset, be less than substantial. Paragraph 134 of the Framework requires that where the harm identified would be less than substantial, that harm should be weighed against any public benefits of the proposal. I have noted, whilst the listed building already has a lift, it is small and unsuitable for independent use by the appellant's elderly relative, who is resident in flat 9. I am aware that the appeal proposal would provide an internal link between the two flats that would be capable of independent use by the appellant's relative, which would help with her care. However, the loss of historic fabric would be irreversible and would affect the listed building long after the personal circumstances of the

appellant have ceased to exist. Whilst the proposed lift may reduce the number of people using the main staircase, I have very limited evidence to suggest that existing use is a problem. I have also had regard to the suggested replacement of the cornice in the storage room of flat 7 with a cornice detail in keeping with the original profile in the hall. However, whilst these matters would all be benefits of the appeal proposal, they would not constitute the public benefits referred to in Paragraph 134 of the Framework and required to outweigh the harm identified to the listed building.

**Conclusion**

10. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

*R Barrett*

INSPECTOR