



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: 8 April 2014

Appeal Ref: APP/Q1445/E/13/2207069

14 Sillwood Road, Brighton BN1 2LF

- 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 Ms Shan Lancaster against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00029, dated 7 January 2013, was refused by notice dated 2 September 2013.
 - The works proposed are alterations to the internal layout, reinstatement of front light well and basement window, removal of rear steps and reinstatement of original stone steps, re-roofing works and the installation of sustainable solar slates technology.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Planning Guidance came into force, and various previous national planning guidance documents were cancelled, on 6 March 2014. Given the nature of this proposal, these changes to the guidance framework have not affected my decision.

Main Issue

3. The effect of the appeal proposal on the special architectural or historic interest of the listed building.

Reasons

4. The appeal house is a grade II listed building, which forms part of a listed terrace of buildings of similar scale, form and some detailing (Nos 13-25). It is confirmed that it was built at the same time as No 13. The internal layout has been altered over time, to accommodate subdivision and its previous use as a school. However, it still retains an understanding of the original floorplan. In addition, many historic features and fabric remain, notably, fireplaces, a kitchen range and wall dresser, areas of brick pavers and a kibbled chalk floor in the basement. Its decorative joinery and plaster detailing add to its special interest. Externally, its Regency style frontage, with stucco finish, provides an elegant public face. A ground floor bay, although a later addition to the property, is a notable feature. Together, all these elements add to the significance of the listed building.
5. Whilst some historic features such as areas of original floor and a fireplace in the basement and the kitchen range and dresser are not included on the appeal plans, the appellant has confirmed that the appeal application does not include

any works to these features. It is confirmed that the basement floor surfaces, treatment of the exposed basement flint wall and the installation of kitchen units do not form part of the appeal application. In addition, it is confirmed that any railings to the original external stone steps and details of the newel post to the stairs at ground floor level would be the subject of separate further applications. On this basis, I consider that the information provided is adequate in this regard.

6. Other works proposed are generally considered acceptable, as they would reverse previous unsympathetic changes and would enhance the significance of the listed building. Such works include reroofing the main roofslopes in Welsh slate with some solar slates, rearrangement of the layout in the basement rear wing, removal of the hall partitions on the ground floor, blocking up the rear ground floor external door, removal of the timber external staircase in the courtyard to expose the original stone steps and opening the staircase at ground floor level.
7. However, I consider that the appeal plans are sufficient only to identify the siting and extent of the proposed works. In this regard, the position of the staircase on the appeal plans generally accords with what I saw on my site visit. It is also confirmed that the position and size of the previous opening between the two ground floor rooms is shown. However, sufficient detail is not provided regarding a significant amount of the works proposed. These include the proposed reinstatement of the basement stairs, removal of the stair wall at ground level and reinstatement of staircase details, removal of some internal partitions, the details of the doors and architrave in the proposed opening between the two ground floor rooms, and the details of the proposed railings and stone plinth at the front. Whilst the Council suggests that some of these matters could be dealt with by suitably worded planning conditions, no suggested conditions are before me. However, I consider that these elements of the appeal works would be extensive and would be integral to the appeal proposal as a whole. The special interest of the listed building relies on its joinery detailing and other decoration, including staircases and their detailing, and as these works relate to many rooms and spaces within the listed building, if carried out inappropriately, whilst restoring the original floorplan, would detract from the significance of the listed building. Together they are too extensive and important to all be dealt with through planning conditions.
8. Turning to the proposed basement window, there is evidence of a window opening in the front bay at basement level. On site it had already been opened up. It is agreed that it would be desirable to replicate the original design and that other windows in the front elevation are contemporary with the building. The Council suggests that the window, in its glazing pattern and detailing, should match those above. The appellant proposes to replicate the design of the window in the rear basement elevation, which is similar to that on the front elevation at second floor level. It is confirmed that the proportions of the front basement opening are similar to the rear basement window opening, which has an 8 X 8 paned window.
9. I have had regard to evidence provided of a previous basement window at No 13. I consider it likely that the pattern of any basement window would have followed that of other secondary windows, such as those in the basement or second floor. On site, other basement windows in the street do not provide relevant design cues. Whilst conclusive evidence is not before me, on the basis

of the above considerations, I am persuaded that the suggested window pattern would preserve the special architectural interest of the listed building.

10. Having said that, however, insufficient detail has been provided for me to be assured that the proposed window would replicate those other secondary windows identified, as details of the proposed meeting rail or window surround are not provided. Notwithstanding the details on the appeal plans, which do not accord with a traditional window, the detailed design of the proposed window could be controlled by condition. The appellant suggests that such detail is not necessary and detailed drawings would be inappropriate. However, on the basis of the information before me, as the acceptability of the proposed window relies on its joinery details, I am not convinced that the proposed window would preserve the special interest of the listed building, even though it would be at basement level and open to limited public view.
11. I conclude that, as the appeal proposal has insufficient information to properly assess its effect, I cannot be assured that it would preserve the special architectural interest of the listed building and it would therefore fail to accord with Brighton and Hove Local Plan (2005) Policy HE1. This promotes 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.
12. 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 any harm identified to the listed building, would, in the context of the significance of the listed building, 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 the works referred to that would reverse previous unsympathetic alterations and those that would improve its external appearance. However, notwithstanding the potential benefits of these, they would not constitute the public benefits referred to in Paragraph 134 of the Framework and would not outweigh the harm that may arise to the listed building as a result of other alterations identified that do not demonstrate appropriate detail.

Conclusion

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

R Barrett

INSPECTOR