

<b><u>No:</u></b>	<b>BH2016/01319</b>	<b><u>Ward:</u></b>	<b>CENTRAL HOVE</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>2 Pembroke Hotel Third Avenue Hove</b>		
<b><u>Proposal:</u></b>	<b>Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated internal and external alterations.</b>		
<b><u>Officer:</u></b>	Wayne Nee tel: 292132	<b><u>Valid Date:</u></b>	14 April 2016
<b><u>Con Area:</u></b>	The Avenues	<b><u>Expiry Date:</u></b>	09 June 2016
<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>	Mr & Mrs Papanichola, c/o Morgan Carn Partnership Blakers House 79 Stanford Avenue Brighton BN1 6FA		

This application was deferred at Committee on the 13 July 2016 to allow Members to carry out a site visit.

## **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 Grade II Listed Building in the Avenues Conservation Area. It is a substantial detached yellow brick villa dating from c1880, subsequently used as flats and more recently a care home. The interior has been affected by modern uses with unsympathetic subdivision of spaces, however many original features survive at least in part.
- 2.2 Externally there have also been alterations, however the property retains a grand presence and makes an important contribution to the group of similar buildings in this location.

## **3 RELEVANT HISTORY**

**BH2016/01319** Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated internal and external alterations – Currently under consideration

**3/93/0519(F) & 3/93/0520(LB)** Construction of new conservatory above the existing ground floor extension – Granted 20/12/93

**3/86/0436** Change of use to rest home – Granted 12/12/86

#### 4 **THE APPLICATION**

- 4.1 Listed Building Consent is sought for Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated internal and external alterations.

#### 5 **PUBLICITY & CONSULTATIONS**

##### **External**

##### 5.1 **Neighbours:**

**Five (5)** letters of representation have been received from **82 Church Road(x2), unknown address in Church Road, Flat 4 of 37 Holland Road, and Flat 2 Royal Court 8 Kings Gardens** supporting the application for the following reasons:

- Good detail to the restoration works;
- Development will preserve and enhance local heritage;
- Rare application to be used for original use.

- 5.2 **Cllr Wealls** supports the application. A copy of the letter is attached to the report.

##### 5.3 **Conservation Advisory Group:**

The Group welcome the application and recommend approval with the following comments:

- Where the facade is repaired the bricks need to be near-matched to the original and should be imperial and not metric
- Fenestration on all proposed dormers should be either one over one or two over two sliding sash.
- The piers to the road need to be reinstated
- Clarification is needed about the railings

##### **Internal:**

##### 5.4 **Heritage:**

This application follows pre-application advice provided to the applicants and incorporates welcome improvements to the internal layout, reverting many rooms to their original proportions and also the removal of disfiguring elements of non-original external alterations and reinstatement of appropriate architectural features. During pre-application discussions on site it was noted that there were significant areas of repair that require attention to ensure the proper preservation of this historic building.

- 5.5 Externally the two main areas of alteration not based on reinstatements are the re-configuration of the roof, and the addition of the glazed extension at first floor.
- 5.6 Roof  
It is accepted that the current overall roof form is not original and does not present a positive element of the building. As it is not known what the original structure looked like, respectful alteration is accepted as an appropriate approach. In general it is considered that this has been achieved with the proposed roof form and individual dormers. The width of the proposed dormers is greater than the guidance provided in SPD 12, however the size and proportions sit reasonably within the roof form and it is considered that for this reason, and in consideration of the previous inappropriate arrangement that this element of the proposal is acceptable.
- 5.7 The design of the windows, (multi-paned top sashes) contrasts with the rest of the property and it is not clear what opening arrangement is proposed. Please seek amendments/clarification (it is suggested that single pane sliding sashes would be appropriate).
- 5.8 First floor extension  
The proposed light-weight extension above the existing non-original ground floor addition in a contemporary style follows the advice previously provided and is considered successful. The exact position of the glass balustrade is not clear and it is considered that it should be well behind the existing parapet. Confirmation is sought that it is to be frameless, and details of the means of fixing to the historic structure should be provided (by condition).
- 5.9 Access to the terrace in front of the extension is proposed to be provided from the master bedroom. The design is a plain glazed door and will be in a clearly visible position towards the front of the building. It is considered that this will appear an incongruous feature within this historic part of the building, aligning with the extension rather than the original openings, and should be revised to match the height and reveals of the historic windows. It is suggested that it could have a mid-rail at the same level as the adjacent sliding sash meeting rail, and access provided through the bottom sash.
- 5.10 Ground floor extension  
The additional open area behind the existing extension is considered acceptable, however the success of this visually will largely depend on matching brick details and a condition requiring samples of the brick colour and texture and profiles of specials to be submitted for approval is required.
- 5.11 Interior  
Some of the proposed new uses in the basement are likely to involve significant increases in humidity, therefore ventilation requirements are important considerations and the details of this need to be fully considered – please seek further information.

- 5.12 Clarification is required regarding the door details at each level of the building and confirmation is therefore sought that any new single doors proposed (apart from jib/hidden doors) will match surviving originals on the same level of the building.
- 5.13 The multi-paned screens, particularly on the ground floor are considered over fussy and should be simplified with fewer glazing bars.
- 5.14 Unblocking of fire places is welcomed, however details of their finishing treatment are required for consideration.
- 5.15 It is not generally considered that wood-burning stoves are appropriate for the character of interiors of buildings such as this and it is considered that this should be deleted from the scheme. There is also the added complication of where the flue would run or exit the building.
- 5.16 The structural survey identifies areas of damp and their probable causes. The means of dealing with this may need listed building consent and the applicants should provide the details of this for consideration either as part of this application or separately before commissioning works.
- 5.17 Landscaping  
Any works to boundary walls and railings should be part of this application and further details should be submitted if this is proposed. Mention is made of the replacement of existing entrance tiles with chequerboard 'Victorian' tiles, however no details are provided and full justification for the removal of the existing tiles would be required. Details of the position and appearance of the electric charging point are required for consideration.
- 5.18 Further comments  
The amended plans are considered acceptable.

## **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."

The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);

- 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.

The National Planning Policy Framework (NPPF) is a material consideration.

Due weight should be given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

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 City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016):

HE1 Listed Building Consent

HE4 Reinstatement of original features on Listed Buildings

Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

Supplementary Planning Documents:

SPD09 Architectural Features

## **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 of the Brighton & Hove Local Plan 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.
- 8.3 External  
The NPPF at para 132 states that when considering the impact of development, great weight should be given to the asset’s conservation. The more important

the asset, the greater the weight should be (for example substantial harm to or loss of a Grade II Listed Building should be exceptional and substantial harm or loss of assets of the highest significance such as Grade I Listed Buildings, scheduled monuments and world heritage sites should be wholly exceptional). Where the identified harm is limited or less than substantial, the local planning authority must nevertheless give considerable importance and weight to the preservation of the listed building and its setting.

- 8.4 The existing roof form is not original and does not present a positive element of the building. The Heritage Team have highlighted that it is not known what the original structure looked like. The replacement of the existing roof alteration with individual dormers is therefore considered acceptable in principle.
- 8.5 The proposed dormers are not in strict accordance with guidance provided in SPD 12. The overall size and width of the dormers do not relate to the windows directly below. However, the dormers are considered an improvement on the inappropriate roof form as existing and amendments received during the course of the application have further refined the dormers and reduced in size, which are considered appropriate additions.
- 8.6 The proposed front dormer has been altered in width during the application process, and all proposed dormer windows have been altered in terms of their detail. However the overall size and width of the dormers does not relate to the windows directly below.
- 8.7 It is clear however there is a public benefit to the overall scheme, in that it would bring the building back into use, and would involve substantial improvements to the internal assets of the listed building, which have had inappropriate alterations in the past. It is therefore not agreed that the harm identified is substantial and the public benefits and the upkeep of the building in the future are considered to outweigh the harm.
- 8.8 In accordance with the NPPF, the finding of less than substantial harm is judged against the positive public benefits of the proposal and these are outlined in this report. Whilst considerable weight is given to the finding of harm, this is considered to be outweighed by the advantages of the scheme.
- 8.9 The proposed first floor conservatory extension above the existing non-original ground floor addition would have a contemporary style that is considered acceptable in design terms by the Heritage Team. The exact position of the glass balustrade is not clear and it is considered that it should be well behind the existing parapet. Further details of the balustrading and details of the means of fixing would be required by condition.
- 8.10 The proposed front terrace would be accessed by a new door via the master bedroom. The design of the door has now been amended and is considered acceptable. The removal of the non-original fire escape is welcomed in principle.

8.11 At ground floor level, the proposed additional open area behind the existing extension would replace the existing decking area and is considered acceptable, subject to matching brick details and confirmation of the brick colour and texture and profiles which can be conditioned.

8.12 Overall the proposal is considered to not be detrimental to the appearance of the building or the wider Conservation Area in accordance with policy HE1.

8.12 Internal

A number of internal alterations and restorations are proposed through the building. Overall the proposed internal works are considered to be welcome improvements to the internal layout, which include reverting many rooms to their original proportions and also the removal of disfiguring elements, and reinstatement of appropriate architectural features. The proposed removal of the lift shaft is welcomed in principle, as is the non-original second floor staircase.

8.13 In the basement, the kitchen and bathroom are likely to involve significant increases in humidity, therefore ventilation would be required, details of which can be conditioned.

8.14 Clarification is required regarding the door details at each level of the building and confirmation is therefore sought that any new single doors proposed (apart from jib/hidden doors) will match surviving originals on the same level of the building.

8.15 The proposed multi-paned screens have been altered to be simplified and are now considered acceptable. The proposed unblocking of fire places is welcomed, subject to further details of their finishing treatment by condition.

8.16 The structural survey identifies areas of damp and their probable causes which may require further listed building consent.

**9 CONCLUSION**

9.1 The proposed works would cause less than substantial harm to the listed building. The repair and re-use of the listed building is a material consideration. Considerable weight and importance is given to the preservation of the listed building and its setting.

**10 EQUALITIES**

10.1 None identified

**11 CONDITIONS / INFORMATIVES**

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) No external works shall take place until full details of frameless glass balustrades, including details for the means of fixing to the historic structure, have been submitted to and approved by the Local Planning Authority in writing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.  
**Reason:** As insufficient information has been submitted, and it is fundamental to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
  
- 3) No external works shall take place until full details of first floor extension, including 1:1 scale joinery details, framing colour and roof detailing materials and colours, have been submitted to and approved by the Local Planning Authority in writing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.  
**Reason:** As insufficient information has been submitted, and it is fundamental to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
  
- 4) No fenestration works shall take place until full details of all new windows and doors, including 1:1 scale joinery details, have been submitted to and approved by the Local Planning Authority in writing. Details should include the depth of reveals and profiles of cills, and comparison for joinery dimensions with originals in the building to ensure exact matches. Bespoke detailing for the new door leading to the terrace from the master bedroom, and the jib door between music room and dining room are required. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.  
**Reason:** As insufficient information has been submitted, and it is fundamental to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.
  
- 5) No external works shall take place until samples the proposed brick colour and texture, and profiles of specials and mortar mix and colour and joint profile have been submitted to and approved in writing by the Local Planning Authority. Development 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 and CP15 of the City Plan Part One.



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- 6) The removal of the fire escape shall include the full removal of embedded metalwork from the masonry and the sensitive reinstatement of brickwork and pointing in matching materials, colours and profiles.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the City Plan Part One.
- 7) No kitchen/bathroom units shall be installed until details and drawings of the proposed ventilation for the basement has been submitted to and approved in writing by the Local Planning Authority. Development 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 and CP15 of the City Plan Part One.
- 8) No works to the fire places shall take place until full details of the proposed fire places have been submitted to and approved in writing by the Local Planning Authority. Development 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 and CP15 of the City Plan Part One.
- 9) No works to the basement stairs shall take place until details for the new basement stairs have been submitted to and approved in writing by the Local Planning Authority. Development 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 and CP15 of the City Plan Part One.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location plan	1559-P-101	P1	14/04/2016
Second floor	1559-P-105	P1	14/04/2016
Proposed joinery	1559-P-109	P1	14/04/2016
Existing internal details	1559-P-110	P1	14/04/2016
Proposed first floor extension	1559-P-115	P1	14/04/2016
Proposed joinery	1559-P-116	P1	14/04/2016
Basement level	1559-P-102	P2	20/06/2016
Ground floor	1559-P-103	P2	20/06/2016
Third floor	1559-P-106	P2	20/06/2016
Roof plan	1559-P-107	P2	20/06/2016
Section A-A	1559-P-108	P2	20/06/2016
First floor	1559-P-104	P2	20/06/2016
East elevation	1559-P-111	P2	20/06/2016

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South elevation	1559-P-112	P2	20/06/2016
West elevation	1559-P-113	P2	20/06/2016
North elevation	1559-P-114	P2	20/06/2016
Daylight analysis	1559-P-117	P3	20/06/2016

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, the Brighton & Hove City Plan Part One, 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 proposed works would cause less than substantial harm to the listed building. The repair and re-use of the listed building is a material consideration. Considerable weight and importance is given to the preservation of the listed building and its setting.
3. The structural survey identifies areas of damp and their probable causes which may require further listed building consent.