

Appeal Decision

Site visit made on 22 May 2017

by **Kenneth Stone BSc Hons DipTP MRTPI**

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

Decision date: 12 June 2017

Appeal Ref: **APP/Q1445/Y/17/3166601** **29 Bloomsbury Place, Brighton BN2 1DB**

- 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 Joshua Silva against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/02404, dated 29 June 2016, was refused by notice dated 5 December 2016.
 - The works proposed are described as 'internal alterations to listed dwelling house'
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of the works in the banner heading is taken from the original application form as that is what consent was sought for. This is a very generic description and unsurprisingly the Council have elaborated on that description in how they have described the proposed works. I note also that the appellant has amended the description in the appeal forms. None of these are consistent. However on the basis of the plans and information before me I have considered it on the basis of the Council's description of the proposed works 'Removal of windows from out rigger and rear of the main part of the house on lower ground and ground floor level. Replace lower ground floor living room window with double doors and other alterations to doors. Enclosure and conversion of the outdoor courtyard to create habitable space through the replacement of timber decking with an asphalt flat roof. Internal alterations to layout of dwelling'. This description more accurately captures the elements of the works that have been undertaken. At the time of my visit the works had been completed.

Main Issue

3. The main issue is whether the works preserve the Grade II listed building, known as 29 Bloomsbury Place, or any features of special architectural interest that it possesses.

Reasons

4. The appeal property is a grand early 19 century four storey over basement mid-terrace property. It is part of a terrace of regency properties listed for their group value which create a cohesive and attractive street albeit with
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- variations in elevational detail and architectural features. Its significance is predominantly derived from the architectural quality and design of the buildings facades and their contribution to the street. However, the internal layout, plan form and architectural detailing contribute to the evidential and historic value of the property in constructional and social understanding.
5. The works include the conversion of the lower ground courtyard into an internal space. This has been achieved by the removal of windows and doors from the outrigger side elevation and the replacement of an original window to a door. The courtyard has been roofed over and sealed and the external walls plastered. Other internal alterations have also been undertaken to the property including removing and relocating stud walls, and provision or replacement of a door to the ground floor boot room.
 6. The Council confirm that the alterations to the boot room do not cause harm to the significance of the building and I see no reason to disagree with this assessment. Similarly the other minor works that have been undertaken do not have a significant impact on architectural features, room proportions or other significant aspects of the internal arrangement of the property.
 7. The alterations and works associated with the conversion of the courtyard are however more substantive. Albeit that the area was covered by wooden decking which may have compromised its usability as an external amenity space there is no evidence that there were works undertaken to remove other historic features. The external yard area and its access from the lower ground space was an obvious and important aspect of the original layout of the building. There was an obvious division between the external and internal space with the outrigger providing access to the space and having small windows. The rear elevation of the lower ground floor room looked out to that space and the surrounding walls would have had external finishes. The works that have been undertaken have significantly blurred that separation of spaces. The plastered walls and internalised space is read as a separate room and except for the slightly raised steep there is little to distinguish it from the remainder of the internal spaces at the lower ground floor. This obscures and compromises the historic plan form of the building and therefore harms the significance of the listed building.
 8. Whilst there is harm to the plan form of the building this does not totally compromise the integrity of the historic asset and does not fundamentally compromise the quality of the architectural composition or its impact on the street scene, as such the harm is less than substantial. Whilst the harm would be less than substantial, any harm to an historic asset must be given significant weight and importance.
 9. Paragraph 134 of the National Planning Policy Framework requires that I balance this harm against the public benefits of the proposal including securing its optimum viable use. The proposal would add to the internal space of the property but not significantly affect its viable use. It would improve the space and usability of the area to the benefit of the occupant but this is a private rather than public interest. There are no significant public interests in the context of these works and therefore they do not outweigh the harm to the heritage asset.
 10. I accept that the area is reasonably discreetly located and there would be no significant change in external views of the area however this is not the critical

consideration in whether the works affect the significance of the listed building and is not given significant weight in my considerations.

11. In considering whether to grant listed building consent I am required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. On the basis of the above I conclude that the works do not meet this requirement and do result in material harm to features of special architectural or historic interest which the building possesses, namely the plan form and fenestration detailing on the lower ground floor.
12. For the reasons given above I conclude that the appeal should fail.

Kenneth Stone

INSPECTOR

