

<b><u>No:</u></b>	<b>BH2016/00753</b>	<b><u>Ward:</u></b>	<b>St. Peter's And North Laine Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>101A Roundhill Crescent, Brighton, BN2 3GP (101 Roundhill Crescent Brighton)</b>		
<b><u>Proposal:</u></b>	<b>External alterations including repair works, alterations to boundary wall including installation of a new gate, reinstatement of cast iron window guards to second floor windows, alterations to fenestration and associated works.</b>		
<b><u>Officer:</u></b>	Mark Dennett, tel: 292321	<b><u>Valid Date:</u></b>	05.04.2016
<b><u>Con Area:</u></b>	ROUND HILL	<b><u>Expiry Date:</u></b>	31.05.2016
<b><u>Listed Building Grade:</u></b>	Grade II		
<b><u>Agent:</u></b>	ZSTA 3 Dorset Place Brighton BN2 1ST		
<b><u>Applicant:</u></b>	Ms Wendy Jamieson 101 Roundhill Crescent Brighton BN2 3GP		

This application was deferred from Committee on the 14 September 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 below and resolves to **GRANT** Listed Building Consent subject to the following Conditions and Informatives.

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 works shall take place until the following have been submitted to and approved in writing by the Local Planning Authority:

a) Drawings of the proposed rear basement and rear first floor replacement doors at a scale of not less than 1:20 (general) and 1:1 (joinery sections)

b) Drawings of the rear brick wall pillars and railings proposed to adjoin the rear lightwell and lightwell bridge at a scale of not less than 1:10

c) Samples of the render proposed for the works to the walls adjoining the 'inner side walls' as annotated on drawing P/152.

The works shall be carried out in accordance with approved details.

**Reason:** in order to ensure that the detail of the proposed works hereby approved is complementary to this listed building and in accordance policies HE1 and HE4 of the Brighton & Hove Local Plan and policy CP15 of the Brighton & Hove City Plan Part One.

3 The paint colour for the proposed painting of the rear elevation and side elevation to D'Aubigny Road shall exactly match the paint colour of the front elevation.

**Reason:** In order to ensure that the painting of the side elevation matches the front elevation and in accordance with policy HE1 of the Brighton & Hove City Local Plan and Brighton & Hove City Plan Part One.

- 4 The proposed replacement front door, as illustrated on drawing P/152, shall match in all respects the front door to 103 Roundhill Crescent.  
**Reason:** In order that the replacement front door is complementary to original front doors in the listed terrace 101-113 (odds) Roundhill Terrace, of which the application premises forms part and in accordance with policy HE4 of the Brighton & Hove Local Plan and policy CP15 of the Brighton & Hove City Plan Part One.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location Plan	1415.P002		1 March 2016
Block Plan	1415.P005		1 March 2016
Floor Plans Proposed	1415.P150	A	1 March 2016
Elevations Proposed	1415.P151	A	1 March 2016
Elevations Proposed	1415.P152		1 March 2016
Large Scale Details	1415.P153		1 March 2016

- 2 In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- 3 This decision to grant Listed Building Consent has been taken:
- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development 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 proposals as a whole have a positive impact on the character of the listed building at 101 Roundhill Crescent and the Round Hill Conservation Area.

**2 SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The application site is the rearmost part of the rear garden to 101 Roundhill Crescent, a 4 storey residential building comprising four flats on the corner (north-east quadrant) of Roundhill Crescent and D'Aubigny Road. The depth of the existing garden to the rear of 101 Roundhill Crescent is 18m. The far end of the garden is abutted by the flank wall of the house at 4 D'Aubigny Road. The proposed site boundary is the last 8.8m of this garden; back to front the site has a depth of 10.5m.

- 2.2 The property and related land is located within the Round Hill Conservation Area; 101 Roundhill Crescent is a Grade II Listed Building. Nos. 103 to 113 Roundhill Crescent are also Listed. Round Hill Conservation Area is largely in residential use, with larger houses on Roundhill Crescent and Richmond Road, mostly now flats, and predominantly smaller individual family houses in the other roads. There is a noticeable incline on D'Aubigny Road and within the site down from north to south. Roundhill Crescent in front of the terrace at nos.101-113 slopes down from west to east, but there is no noticeable change of levels within the site.
- 2.3 Listed building consent is sought for alterations to the boundary wall to D'Aubigny Road which comprise the removal of a 1.85m length of it in order to create a pedestrian access to the proposed house at the rear (application ref. BH2016/00752). Additionally the height of that part of the boundary wall between this access point and the boundary with 4 D'Aubigny Road, a length of 3.7m would be lowered by between 0.7 and 1m. The gate in the same wall just behind 101 Roundhill Crescent would be replaced by a 1.7m timber gate (there is an existing (20th c) gate of approximately 1m. The cast iron 'window guards' that would have originally been atop the windowsills of the three second floor front elevation windows are proposed to be replaced (these are present on other premises in the terrace). The stuccoed flank wall of the building to D'Aubigny Road will be painted.
- 2.4 The applicant additionally proposes a number of works of repair and restoration which do not of themselves require listed building consent.

### 3 RELEVANT HISTORY

**BH2015/02786** Erection of two storey, three bedroom dwelling. Refused 26/11/15

**BH2015/02796** Alterations to boundary wall Refused 26/11/15- for reason of loss of historic fabric unacceptable in absence of acceptable development scheme for site.

**BH2015/00322** Erection of two storey building comprising x5 flats Refused 7/4/15

**BH2011/02420** 101 Roundhill Crescent - Erection of shed and decked area to land to rear of 101 Roundhill Crescent. (Retrospective). Approved 20/10/2011.

**BH2011/02259** 101B Roundhill Crescent - Listed Building Consent for erection of first floor side extension. Refused 12/10/2011.

**BH2011/02257** 101B Roundhill Crescent - Erection of first floor side extension. Refused 12/10/2011.

### 4 REPRESENTATIONS

- 4.1 **One (1)** letters of representation have been received from **101 Roundhill Crescent** supporting the application for the following reasons: the alterations to the wall and 101 Roundhill Crescent can only serve as an improvement to this historic building.
- 4.2 **One (1)** letter of representation has been received from **4 D'Aubigny Road** objecting to the application for the following reasons: the wall is part of the heritage of the area and should not be lowered or cut into; will be detrimental to the character of the area; will make respondent's property vulnerable to intruders and notes that the view across back gardens to Elm Grove is a key part of the conservation area.

## **5 CONSULTATIONS**

- 5.1 **Heritage:** No objection

## **6 MATERIAL CONSIDERATIONS**

- 6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2 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.
- 6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## **7 POLICIES**

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:

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main consideration in the determination of this application relates to the effect of the proposals on the character of the host listed building at 101 Roundhill Crescent.
- 8.2 Design:  
The proposed works are those to the wall to D'Aubigny Road as detailed above plus:
- Painting of the flank and rear walls.
  - Rationalised pipework, painted to match the walls.
  - Reinstatement of the cast iron window guards to match 103.
  - Reinstatement of missing areas of red clay pavers to the basement lightwell and encaustic tiles to main pathways/steps (dependent on amount of reinstatement required).
  - Replacement ground floor front door to match door to number 103.
  - Improvements to side gates and adjacent walls.
  - Improved design to the rear basement lightwell railings.
  - Improvements to first floor rear door, including removal of the fanlight.
- 8.3 In addition to these works requiring listed building consent it is also noted that it is proposed that decking and summerhouse and a small shed in the existing garden will be removed and that an improved planting scheme would be provided.
- 8.4 The NPPF requires that when determining applications for listed building consent that the local planning authority take account of the desirability of sustaining and enhancing the significance of the heritage assets. These works are considered desirable works of enhancement.
- 8.5 The removal of a short length of the existing 'bungaroosh' wall along D'Aubigny Road is not integral to the significance of the listed building and that part immediately adjoining 101 Roundhill Crescent is retained. It should be noted that listed building consent application BH2015/02796 for like alterations to this wall (no other listed building works were included) was refused but only for the reason that it was not justifiable in the absence of an acceptable scheme for development of the site. As the planning application concurrent with this listed building consent (BH2016/00752) is recommended for approval the circumstances are changed and it is not considered that the works proposed to the wall are unacceptable.
- 8.6 In addition to the merits of the works under consideration per se they are also of consequence in the consideration of the concurrent planning application for the erection of a house at the rear of 101 Roundhill Crescent. In the report on that

application it is concluded that the proposal is one that, in historic environment terms, causes some harm but that such harm is less than substantial. Where that is the case the NPPF states that the harm should be weighed against the public benefits of the proposal, including securing its optimum use. In addition to the benefit of the proposed residential accommodation and nearby highway improvements sought by condition, works forming part of this listed building consent application are regarded as improvements rather than general repairs (which are part of the general responsibility that the owner has to maintain their listed building). In order that the works of improvement are carried out, a condition is proposed for the planning application linking the implementation of the planning permission recommended here with the implementation of the works set out the concurrent listed building consent application (ref. BH2016/00753) prior to the commencement of development on site.

## **9 CONCLUSION**

- 9.1 The proposals as a whole are positive in the context of the character of the listed building at 101 Roundhill Crescent and as such are welcomed. The alterations to the boundary wall to D'Aubigny Road are the minimum required in order to gain access to the house proposed in the concurrent planning application and whereas listed building consent was refused (BH2015/02796) for like works on the grounds that they were not acceptable in the absence of an approved scheme for the development of the site, that is no longer the case, if concurrent BH2016/00752 is approved it is thus recommended that listed building consent be granted.

## **10 EQUALITIES**

- 10.1 None identified