

<b><u>No:</u></b>	<b>BH2020/01467</b>	<b><u>Ward:</u></b>	<b>Brunswick And Adelaide Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>Hill House 53 Western Road Hove BN3 1JD</b>		
<b><u>Proposal:</u></b>	<b>Proposed roof extension to adapt the existing mansard roof and provide 8no additional flats (C3) incorporating new terraces for the third and fourth floors, replacement of all windows, improvement of the existing third floor residential accommodation and associated works.</b>		
<b><u>Officer:</u></b>	Russell Brown, tel: 293817	<b><u>Valid Date:</u></b>	01.06.2020
<b><u>Con Area:</u></b>	Brunswick Town	<b><u>Expiry Date:</u></b>	27.07.2020
<b><u>Listed Building Grade:</u></b>	<b><u>EOT:</u></b>		
<b><u>Agent:</u></b>	Morgan Carn Partnership Blakers House 79 Stanford Avenue Brighton BN1 6FA		
<b><u>Applicant:</u></b>	Hill House Investments Limited 8A Ship Street Brighton BN1 1AD		

## 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 be **MINDED TO GRANT** planning permission subject to the following Conditions and Informatives as set out hereunder.

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Drawing	1967-P-021	A	30 July 2020
Proposed Drawing	1967-P-022	A	30 July 2020
Proposed Drawing	1967-P-023	B	21 August 2020
Proposed Drawing	1967-P-024	B	21 August 2020
Proposed Drawing	1967-P-025	A	30 July 2020
Proposed Drawing	1967-P-026	A	30 July 2020
Proposed Drawing	1967-P-027	A	30 July 2020
Proposed Drawing	1967-P-028	A	30 July 2020
Proposed Drawing	1967-P-029	A	30 July 2020
Proposed Drawing	1967-P-030	A	30 July 2020
Proposed Drawing	1967-P-031	A	25 August 2020
Proposed Drawing	1967-P-032	A	21 August 2020
Proposed Drawing	1967-P-033		01 June 2020
Proposed Drawing	1967-P-034		01 June 2020
Proposed Drawing	1967-P-035		01 June 2020
Proposed Drawing	1967-P-036		01 June 2020

Location Plan	1967-P-001		01 June 2020
Block Plan	1967-P-003		01 June 2020

2. 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.

Informatives:

1. 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.

## 2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application relates to a four storey building known as Hill House, the central part of which features a mansard roof, with a pitched roof over the eastern part and curved bays. Several holes are punched through the roof of the building to provide lightwells to the existing flats. The building is located on the southern side of Western Road (the B2066) between the junctions of Lansdowne Place to the east and Holland Road to the west and opposite the junction with Lansdowne Street. Holland Mews is directly to the rear (west).
- 2.2. Hill House contains flats (Planning Use Class C3) over the first, second and third floors with the street address of 53 Western Road. There are also another eight commercial units in a variety of use classes underneath the flats that do not form part of the proposals.
- 2.3. The building is within the Brunswick Town Conservation Area and subject to an Article 4 direction, limiting 'permitted development' rights, but is not a statutory listed building, although it is locally listed. It is, however, in the vicinity of several Grade II listed buildings at 33-55 Lansdowne Place, 62 and 63 Western Road (The Wick pub) and 86 and 87 Western Road. The site is also within Controlled Parking Zone (CPZ) M.
- 2.4. The current application seeks planning permission for a roof extension to adapt the existing mansard roof and provide eight additional flats (Planning Use Class C3) incorporating new terraces for the third and fourth floors, replacement of front and side windows, improvement of the existing third floor residential accommodation and associated works. 2, three bed, 4 x two bed, 1 x one bed and a studio dwelling are proposed. There have been minor changes made during the course of the application to the lower floor windows, to obscure glaze the dining room side-facing windows to Flat 8 and remove the greenery to the private terraces.

## 3. RELEVANT HISTORY

- 3.1. **BH2020/01466:** Proposed roof extension to adapt the existing mansard roof and provide 8no additional flats (C3) incorporating new terraces for the third and fourth floors, replacement of all windows, improvement of the existing third floor residential accommodation and associated works. Awaiting determination (this Committee).
- 3.2. **PRE2019/00267:** Proposed roof extension to adapt the existing modern central mansard roof (flats numbers to remain unchanged) and provide an additional 8 flats (1, 2 & 3 bed) in a new set-back roof extension. Proposals will require associated alterations and extensions to circulation cores to connect to the new roof level accommodation. Response issued 30 January 2020 giving the following advice:
- The provision of eight flats contribute to the Council's housing target and are therefore supported in principle, but it must be demonstrated that the unit mix, type and tenure addresses an identified housing need;
  - An affordable housing contribution in lieu of on-site affordable units must be provided;
  - The demolition of the existing mansard is supported and the impact of the proposed two storey extension on the locally listed host building, the setting of nearby listed buildings and on the Brunswick Town Conservation Area would be negligible to beneficial;
  - Numerous alterations could be made to the host building to improve its appearance, and should be considered as part of the forthcoming application;
  - The additional storeys could overshadow and reduce natural light to adjacent dwellings, which will need to be tested with the finding presented within a report;
  - The flats should provide adequate bedroom sizes, sufficient floor to ceiling heights and maximise daylight and sunlight;
  - The proposal should deliver measurable biodiversity improvements; and
  - The proposal should be car-free since given the very high levels of permit uptake within the CPZ.

#### 4. REPRESENTATIONS

- 4.1. **Three (3) objections**, none of which are from properties directly affected, have been received to the proposal for the following grounds:
- Overlooking, privacy, daylight, sunlight, disturbance and outlook would all be impacted upon by this proposal, as well as quality of life. It would also increase the noise from the tenants and from construction.
  - Local amenities and parking are already overstretched in this area.
  - The height goes against Policy HE3 which states that development cannot happen if there is "an adverse impact on the setting of a listed building". This is a conservation area and Hill House is modern so it is not fitting.
  - The design of the proposal is awful and will devalue houses.
  - Huge traffic congestion problems would be created on Holland Mews, which is one-way and more dangerous due to the reversing vehicles. The

presence of additional and large vehicles related to the development is a major concern for safety.

- While the application states that there are no waiting lists for permits in CPZ M, all on-street parking spaces are filled in the evening and visitors often have to park many streets away.

4.2. **Councillor Clare** has objected to the application. A copy of the correspondence is attached to the report.

4.3. **The Conservation Advisory Group (CAG)** have raised an objection (6 votes for refusal, 3 for approval and 1 abstention) for the following reasons:

- Harm may be caused to the setting of Holland Mews by the additional storey which could be set back to mitigate the impact.
- The replacement fenestration needs to be set back from the face of the building.
- More detail of the proposed windows is required, perhaps after consultation with a historic window specialist such as Charles Brooking.
- The pavement mosaic is not given sufficient attention.
- More information about access for construction traffic is required.
- The setting of Grade II listed 55 Lansdowne Place would be compromised.
- The design of the additional storey as viewed from the north was nevertheless praised.

## 5. CONSULTATIONS

### 5.1. Heritage:

This proposal is very similar to the scheme previously submitted for pre-application advice.

5.2. As advised previously, it is considered that the 1980s mansard roof is clearly visible over the middle section of the block and makes no positive contribution to the appearance of the building or the character of the conservation area, and its removal and replacement with a roof extension that better enhances the 1920s re-styling of this terrace is supported.

5.3. It has been demonstrated that a reduction in the existing top floor depth can be achieved as part of the removal of the mansard, and therefore the increased overall height of the two new floors would amount to an increase overall of less than a full storey height. These new floors would also be set back from the existing facades thereby moderating the impact.

5.4. The Heritage Team considers that the replacement of the mansard roof with the proposed roof extension would not cause harm to the significance of the locally listed building.

5.5. The impact of the increased height on surrounding views is shown in the wider viewpoints submitted and demonstrates the impact of the increase in height on the conservation area generally. The Heritage Team considers that this is

favourably balanced by the improved design approach when compared to the existing mansard and the impact would be negligible to beneficial.

- 5.6. The impact on 55 Lansdowne Place is also illustrated, which is the closest listed building to the proposal and potentially the historic asset that would be most affected by the alteration.
- 5.7. The 'Lansdowne Place South view 3' in the Design & Access Statement (DAS) shows that the silhouette of no. 55 will be affected by the proposed additional floor, but from more distant viewpoints and this is not the case from immediately opposite the property, and that these other views also demonstrate that the impact on more distant listed buildings would be low. It is considered that this would amount to less than substantial harm and could be adequately balanced by other enhancements discussed at pre-application stage.
- 5.8. It is considered that the opportunity to improve the poor appearance of the bland and poorly detailed rear elevation should be taken as part of this proposal. This appearance, made worse by its scale, has a detrimental impact on Holland Mews to the south. The re-configuration of the windows may be possible to improve natural light levels for the existing flats.
- 5.9. The existing north, east and west facing windows were also identified at pre-application stage as having a poor impact on the building. Slim metal-framed windows taking influence from those that previously existed in the building, or other similarly styled 1920s buildings would be encouraged.
- 5.10. In addition, the filled-in southern, east-facing coffee shop window was identified as detrimental and improvements were encouraged, along with the restoration of the damaged floor mosaic on the area between the building and the footpath.
- 5.11. Enhancement measures are mentioned in the DAS, but no mention of the restoration of the mosaic is made, and this is of concern. None of these works are included on the proposed drawings and the DAS states that improvements to the existing building are shown indicatively and are subject to viability assessments. As a result, the likelihood of these works taking place is uncertain. It is considered that enhancements are required to balance the identified harm to 55 Lansdowne Place. Therefore, more certainty is required before full heritage support is possible.
- 5.12. Drawing no. 1967-P-031 (Proposed South Elevation) appears to show a broken frontage at third and fourth floors with two broad recesses that would provide relief at high level on this otherwise plain façade. However, the reconfiguration of the third floor level shown on drawing no. 1967-P-022 does not appear to show these breaks. Clarification should be sought on this point.
- 5.13. **Historic England:** On the basis of the information available to date, we do not wish to offer any comments.

## 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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
  - Shoreham Joint Area Action Plan (October 2019)
- 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. RELEVANT POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The Council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP12	Urban Design
CP15	Heritage

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

QD14	Extensions and alterations
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE10	Buildings of local interest

#### Supplementary Planning Documents:

SPD09	Architectural Features
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## 8. CONSIDERATIONS & ASSESSMENT

- 8.1. The only consideration in the determination of this application relates to the impact of the proposed extension and alterations on heritage assets.

### **Heritage:**

- 8.2. In considering whether to grant planning permission which affects a listed building or its setting the Council has a statutory duty 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.
- 8.3. Listed Building Consent is required because the Grade II listed building at 55 Lansdowne Place is incorporated internally into Hill House, although it is visibly distinct externally. As the closest listed building to the application site, this report assesses the impact on the historical and architectural interest of that building alone.
- 8.4. In this case, Officers consider that the proposed roof extension would only be glimpsed above the parapets of nos. 53 and 55 from acute views at ground level on Lansdowne Place. As such, the proposal is not considered to have a harmful impact on the setting of the listed building and would be favourably balanced by the improved design approach and the enhancements to the existing windows.
- 8.5. It is considered that only a few of the improvements suggested at pre-application stage would be sufficient to outweigh the 'less than substantial harm' caused to the Grade II listed building at 55 Lansdowne Place identified by the Heritage Officer. NPPF paragraph 196 requires that the harm should be weighed against the public benefits of the proposal. Whilst ideally all of these works would be undertaken, it is considered that window replacements to the north, east and west-facing elevations would be the most important improvement that could be undertaken.
- 8.6. Officers note the problems faced in terms of improving the appearance of the rear elevation with multiple tenancies in place. It is worth noting that the stepped profile of the proposed fourth floor would add much-needed depth, shadow and interest to this dull elevation.
- 8.7. It is recognised that the tenant of the premises that has been identified as having a filled-in southern, east-facing window has recently vacated and therefore Officers consider that this and the damaged floor mosaic should be revisited once occupancy of the unit has taken place and the needs of the new tenant have been assessed.
- 8.8. As such the proposal is considered to be compliant with City Plan Part One Policies CP12 and CP15, Local Plan Policies QD14, HE3, HE6 and HE10.

**Issues raised by consultation:**

- 8.9. Issues regarding devaluing houses and disruption from building works (including to working from home arrangements) are not relevant planning considerations and therefore have not been taken into account in the determination of this application, which is limited to heritage matters.

**9. CONCLUSIONS**

- 9.1. The high quality of architecture of this scheme is considered to outweigh the less than substantial harm caused to heritage asset. As such, this application is recommended for approval subject to conditions.

**10. EQUALITIES**

- 10.1. It is noted that the existing steps to the corridor at third floor level would be removed allowing their occupation by those with a mobility-based disability. Furthermore, the lift overrun would be extended allowing for step-free access to the new dwellings on the fourth floor too. These measures are supported. Officers recognise that the significant size of Flats 5 and 7 would be suitable for wheelchair users.