

<u>No:</u>	BH2021/02932	<u>Ward:</u>	Regency Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	123 - 126 Kings Road Brighton BN1 2FA		
<u>Proposal:</u>	Amalgamation of two hotels, incorporating erection of mansard plant enclosure on roof incorporating lift overrun, replacement of mansard extension with fourth floor extension, two storey rear extension providing new spa, plant enclosures to rear, new bar and restaurant, refurbishment works and associated alterations.		
<u>Officer:</u>	Sonia Gillam, tel: 292265	<u>Valid Date:</u>	09.08.2021
<u>Con Area:</u>	Regency Square	<u>Expiry Date:</u>	04.10.2021
<u>Listed Building Grade:</u>	II	<u>EOT:</u>	
<u>Agent:</u>	CMK Planning 11 Jew Street Brighton BN1 1UT		
<u>Applicant:</u>	Guest Leisure Ltd C/O CMK Planning 11 Jew Street Brighton BN1 1UT		

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** planning permission subject to the following Conditions and Informatives:

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.

Plan Type	Reference	Version	Date Received
Location Plan	676_01	A	9 August 2021
Block Plan	676_110	B	9 August 2021
Proposed Drawing	676_200	E	9 August 2021
Proposed Drawing	676_201	D	9 August 2021
Proposed Drawing	676_203	F	13 October 2021
Proposed Drawing	676_099	I	9 August 2021
Proposed Drawing	676_100	J	13 October 2021
Proposed Drawing	676_101	I	9 August 2021
Proposed Drawing	676_102	I	9 August 2021
Proposed Drawing	676_103	I	9 August 2021
Proposed Drawing	676_104	J	13 October 2021
Proposed Drawing	676_105	I	9 August 2021
Proposed Drawing	676_300	D	9 August 2021
Proposed Drawing	676_302	D	9 August 2021
Proposed Drawing	676_303	E	9 August 2021
Proposed Drawing	676_304	F	13 October 2021
Proposed Drawing	676_306	E	13 October 2021

Proposed Drawing	676_308	F	13 October 2021
Proposed Drawing	676_DM01	E	9 August 2021
Proposed Drawing	676_DM02	E	9 August 2021
Proposed Drawing	676_DM03	E	9 August 2021
Proposed Drawing	676_DM04	E	9 August 2021
Proposed Drawing	676_DM05	E	9 August 2021
Proposed Drawing	676_DM06	E	9 August 2021
Proposed Drawing	676_DM07	E	9 August 2021
Proposed Drawing	676_DM08	E	9 August 2021
Proposed Drawing	676_DM09	E	9 August 2021
Report/Statement	Design and Access Statement		5 August 2021

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
3. No customers shall remain on the spa premises outside the hours of 09.30 to 20:00 Monday to Sundays, including Bank or Public Holidays. No activity within the site shall take place between the hours of 07.00 and 22.00 daily.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
4. All new and replacement rainwater goods shall be in cast iron and shall be painted to match the colour of the renderwork background walls and retained as such thereafter.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1, HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
5. The development hereby permitted shall not be commenced until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
 - a) samples/details of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples/details of all cladding to be used, including details of their treatment to protect against weathering
 - c) samples/details of all hard surfacing materials
Development shall be carried out in strict accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14, HE1, HE6 of the Brighton & Hove Local Plan and CP12, CP15 of the Brighton & Hove City Plan Part One.
6. No works shall take place to the windows until full details of all new sash window(s) and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and

approved in writing by the Local Planning Authority. The windows shall be painted timber double hung vertical sliding sashes with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD14, HE6 of the Brighton & Hove Local Plan and CP12, CP15 of the Brighton & Hove City Plan Part One.

7. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
 - i. The phases of the Proposed Development including the forecasted completion date(s)
 - ii. A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained
 - iii. A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
 - iv. A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
 - v. Details of hours of construction including all associated vehicular movements
 - vi. Details of the construction compound
 - vii. A plan showing construction traffic routes
 - viii. An audit of all waste generated during construction works

The construction shall be carried out in accordance with the approved CEMP.

Reason: As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste

8. No development, including demolition and excavation, shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

9. No development above ground floor slab level of any part of the development hereby permitted shall take place until a sample panel of flintwork has been constructed on the site and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel prior to the development hereby permitted being occupied.

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 Brighton & Hove City Plan Part One.

10. No development of any boundary treatment shall take place until full details of the proposed boundary walls and railings to Kings Road including 1:20 scale elevational and sectional drawings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15, HE6 and QD27 of the Brighton & Hove Local Plan and CP12, CP15, CP13 of the Brighton & Hove City Plan Part One.

11. No works shall take place to the new shop front at number 123 Kings Road until full details of the shop front to number including 1:20 scale elevational and sectional drawings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

Reason: In the interests of the character and appearance of the building(s) and the visual amenities of the area and to comply with policies QD14, HE6 of the Brighton & Hove Local Plan and CP12, CP15 of the Brighton & Hove City Plan Part One.

12. Prior to the first occupation of the development hereby approved a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries shall be submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved plan.

Reason: In order to ensure that the safe operation of the development and to protect the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

13. The development hereby permitted shall not first be occupied until details of the external lighting scheme have been submitted to and approved in writing by the Local Planning Authority.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15, HE6 and QD27 of the Brighton & Hove Local Plan and CP12, CP15, CP13 of the Brighton & Hove City Plan Part One.

14. The development hereby permitted shall not be first occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles

and to comply with policy TR14 of the Brighton & Hove Local Plan and SPD14: Parking Standards.

15. The development hereby approved shall not be occupied until refuse and recycling storage facilities have been installed within the site and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

16. The development hereby permitted shall not be first occupied until the sustainability measures outlined in the Design and Access Statement received on the 5 August 2021 have been implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

17. No works shall take place until details of a bee brick to be incorporated within an external wall of the development have been submitted to and approved in writing by the Local Planning Authority. The bee brick shall not be proposed to any part of the listed buildings. The works shall be carried out and completed fully in accordance with the approved details and maintained and retained as such thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

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. As per the submitted Transport Statement, guests should be informed that there is no car parking provision on-site, along with no blue badge parking arrangements. Guests would also need to be informed of the cycle parking arrangements, as well as the Drop-off and Collection of luggage within the servicing area on-site; to be accessed via Queensbury Mews
3. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The properties form part of a Regency period terrace of townhouses between Regency Square and Queensberry Mews. The site lies within the Regency Square Conservation Area. The premises are currently vacant, however previously formed the Cecil (125-126) and Granville (123-124) hotels.
- 2.2. Nos.125-126 Kings Road are grade II listed buildings of c1825, with 5 storeys over basement. Both have undergone alteration and some upward extension and both have been much altered internally. However, the historic plan form remains generally readable.
- 2.3. Nos. 123-124 were originally very similar in appearance however had their segmental bow frontages removed in favour of canted bays in the late 19th century, when the basement to 123 was altered to form a shop front. No. 124 was also extended upwards in the late 19th century.
- 2.4. The rear of this terrace is visible from Queensberry Mews and has undergone much incremental alteration and extension in a somewhat haphazard manner. Sections of historic flint walling remain. At the southern end of Queensbury Mews there is a small redbrick French Protestant Church built in 1887, now a locally listed heritage asset. The Metropole Hotel to the east of the site is also a locally listed heritage asset.

3. RELEVANT HISTORY

123-126 Kings Road:

- 3.1. **BH2021/02909** LB Alterations to facilitate the amalgamation of two hotels including erection of two storey rear extension to form spa and first floor rear extension to form plant enclosure, new hard landscaping, boundary walls & railings to front elevation, internal alterations to layout and associated reinstatement & restoration works. Under consideration.
- 3.2. **PRE2021/00071** Amalgamation, refurbishment, alterations and extensions to the former Granville and Cecil Hotels. Pre-application advice given.
- 3.3. **BH2004/01664/LB** Formation of opening between 125 & 126 together with replacement of window on first floor front elevation of 126 (Cecil House Hotel). Approved 14.07.2004
- 3.4. **BH2004/01637/FP** Replacement window on first floor front elevation. Approved 14.07.2004

Hotel Cecil 126 Kings Road

- 3.5. **BH2012/01958** Removal of existing infill structure to yard. Erection of single storey rear extension and replacement of existing roof coverings and rainwater goods. Approved 03.09.2012
- 3.6. **BH2012/01957** Removal of existing infill structure to yard. Erection of single storey rear extension and replacement of existing roof coverings and rainwater goods. Approved 03.09.2012

- 3.7. **BH2002/00330/LB** Internal alterations to form en-suite shower rooms. Approved 22.03.2002

Granville Hotel 123 -125 Kings Road

- 3.8. **BH2005/02127/LB** Removal of existing partition walls and doors on first floor; insert en-suite bathroom facilities to two bedrooms. Approved 14.10.2005.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks planning permission for alterations to facilitate the amalgamation of the two hotels. The Planning Statement sets out that the amalgamated hotel would provide a high-end boutique offer with thirty-three bedrooms and including a new spa. The spa would be operated by seven employees, and the hotel is expected to employ seventeen staff. Works would include:

- Additional storey to no. 123;
- Mansard plant enclosure to roof of no. 124 to include lift overturn;
- Extension to rear projection and 3rd/4th floor extension to rear bay of No.124;
- Erection of a two-storey rear extension to form spa to rear of nos. 125 and 126;
- New plant enclosures behind nos. 123 and 126;
- New hard landscaping, boundary walls and railings to the front elevation;
- Contemporary shopfront to no. 123;
- New bar / restaurant entrance and hard landscaping to lower ground floor;
- Replacement of modern casement windows to rear with traditional sash windows in existing openings.

- 4.2. Following comments from the Council's Heritage Officer, minor amendments have been received during the life of the application to improve the articulation of the first-floor spa elevations by the introduction of a horizontal band of glazing above the flint facing, plus the introduction of nibs of flint wall within the 'winter garden' to mitigate the loss of the original boundary wall between 125 and 126.

- 4.3. The works are part of a wider scheme which includes internal alterations to the hotels. These internal works to 125 and 126 are being assessed under the concurrent Listed Building Consent Application ref: BH2021/02909.

5. REPRESENTATIONS

- 5.1. **Thirteen (13)** representations received objecting to the proposal. The main grounds for objection are as follows:

- Impact on conservation area/ listed buildings
- Loss of original features and historic character
- Harm to irregular roof heights
- Design/ visual impact/ lack of architectural merit
- Overdevelopment/ out of scale

- Inappropriate height
 - Quality/ accuracy of submission documents
 - No refuse/ recycling facilities
 - Additional traffic/ highway safety/ parking issues
 - Restriction times on deliveries and waste collection
 - Noise and disruption
 - Overshadowing/ loss of light
- 5.2. Objections relating to restriction of view are noted, however this is not material planning consideration.

6. CONSULTATIONS

External

- 6.1. **Conservation Advisory Group (CAG):** Objection The restoration to the frontage is welcome. However, object on the following basis:
- Harm to the varied and irregular building heights and roof lines;
 - Spa building out of character with the area;
 - Loss of light and overshadowing;
 - Noise;
 - Highways safety;
 - Loss of courtyard;
 - Adverse impact on church;
 - Detrimental change to the character of the Conservation Area;
 - Drawings not accurate.

Internal

- 6.2. **Heritage:** No objection There would be some harm to the two listed buildings through loss of some historic fabric but also some heritage benefits through restoring the character and status of the ground floor rooms and more generally through repairing the fabric and features of the buildings. Overall, there are a number of positive elements to these complex, multi-layered proposals that taken together would clearly enhance the appearance and character of the Regency Square conservation area and would preserve or modestly enhance the settings of the two listed buildings whilst causing no harm to the settings of the two locally listed buildings. It is considered that the net heritage balance would be positive
- 6.3. **Environmental Health:** - No comments received
- 6.4. **Planning Policy:** No objection The amalgamation and extension proposed to provide an improved offer is considered to be in accordance with planning policy.
- 6.5. **Sussex Police:** No objection No major concerns with the proposals at this location.
- 6.6. **Sustainable Transport:** No objection the changes proposed would be acceptable in highway terms.

7. MATERIAL CONSIDERATIONS

- 7.1. 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
- 7.2. 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 Harbour JAAP (adopted October 2019).
- 7.3. 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.

8. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
SA1	The Seafront
SA2	Central Brighton
CP5	Culture and tourism
CP6	Visitor accommodation
CP8	Sustainable Buildings
CP9	Sustainable transport
CP12	Urban design
CP13	Public streets and spaces
CP15	Heritage

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

TR7	Safe Development
TR14	Cycle access and parking
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD5	Design - street frontages
QD14	Extensions and alterations
QD15	Landscape design
QD27	Protection of amenity
HE1	Listed buildings
HE3	Development affecting the setting of a listed building

- HE6 Development within or affecting the setting of conservation areas
- HE10 Buildings of local interest

Brighton & Hove City Plan Part 2

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. The weight given to the key CPP2 policies considered in determining this application is set out below where applicable.

- DM17 Opportunity Areas for new hotels and safeguarding conference facilities
- DM20 Protection of Amenity
- DM26 Conservation Areas
- DM27 Listed Buildings
- DM29 The Setting of Heritage Assets
- DM33 Safe, Sustainable and Active Travel
- DM40 Protection of the Environment and Health - Pollution and Nuisance

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD09 Architectural Features
- SPD12 Extensions and Alterations
- SPD14 Parking Standards
- SPD17 Urban Design Framework

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development, impact on the listed buildings and the Regency Square conservation area, neighbour amenity and highways implications.

Planning Policy:

- 9.2. The City Plan Part 1 recognises the strategic need for a range of hotels and conference facilities across Brighton and Hove. CPP1 Policy CP5 Culture and Tourism supports the retention, upgrading and enhancement of existing visitor facilities to meet changing consumer demands and high environmental standards in terms of design, management and access. Background evidence documents suggest a strong need for new visitor accommodation in the city.
- 9.3. The site is within the Hotel Core Zone defined by Policy CP6 'Visitor Accommodation' where new hotel development is directed and loss is resisted. Although policy CP6 does not address the amalgamation of hotels as such, policy CP6.4 supports extensions to existing hotels where required to upgrade existing accommodation to meet changing consumer demands. Paragraph 4.69 supports the addition of appropriate facilities, such as spas.

- 9.4. Although limited weight can be attached to Proposed Submission City Plan Part Two Policy DM17, it shows the direction of travel. The policy identifies suitable opportunity search areas for new hotels, including the DA1 area, to which the site is in close proximity.
- 9.5. The hotel would have thirty-three bedrooms in total. Although the proposal would not provide a new hotel as such and results in a net loss of three bedrooms, it is noted that it would provide an improved offer such as spa facilities, wholly double bedroom facilities, as well as interconnecting rooms suitable for families and two wheelchair accessible units. This provision would help to attract new markets to the city and contribute towards strengthening the city in terms of its leisure destination, as well as meet changing consumer demands.
- 9.6. The proposal accords with policies CP5 and CP6 of the City Plan Part One and also DM17 above of the the CPP2, although it is acknowledged that this policy has limited weight as yet. Therefore the development is acceptable in principle and is supported by the Council's Planning Policy Officer.

Design and Appearance:

- 9.7. In considering whether to grant planning permission for development 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. Moreover, when considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.8. Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses, and the desirability of preserving or enhancing the character or appearance of a conservation should be given "considerable importance and weight".

Works to 123-124 (additional storey, plant room etc)

- 9.9. Given the past alterations to the roofs, the additional storey to no. 123 is considered to be acceptable, in terms of its townscape impact to both the front and rear elevations. The introduction of recessed blind windows with projecting cills, aligned with the windows below, would help to articulate this additional storey when seen from Queensberry Mews. The proposed mansard addition to the rear of the flat roof would result in a neater, and lower, solution than the existing lift over-run structure, which is highly intrusive on the skyline at present; this would be a clear benefit of the scheme.
- 9.10. The low-level plant room to the rear of no.123 would not impact on public views and would not significantly change the established development pattern or urban grain. The reinstatement of timber sash windows to the rear of no. 124, in place of the UPVC windows, would be a clear enhancement.
- 9.11. The creation of a plantroom beneath the ground floor terrace at the front of no.124 would be visually discreet and would not impact on the public

appearance of the area. The new contemporary 'shop front' to the basement of no. 123 is acceptable.

- 9.12. Overall, subject to details by condition, these works would enhance the appearance and character of the conservation area and would preserve the setting of the listed buildings in accordance with plan policies.

The Kings Road front area

- 9.13. The reinstatement of a coherent frontage to 124-126 with rendered walls/pillars with dwarf railings is appropriate and would represent a welcome enhancement to the conservation area and to the setting of the listed buildings.

Proposed Spa Building

- 9.14. The two-storey proposed spa building located at the rear of listed buildings nos. 125 and 126 would be a significant structure in the original rear yard areas of the two listed buildings and the footprint would involve the loss of some historic fabric to the rear of the buildings and, most notably and harmfully, the original rear boundary wall between 125 and 126. However, it is proposed to recreate some nibs of flint wall within the 'winter garden' to echo the original boundary.
- 9.15. The building and secondary hotel entrance however does have some potential to improve the appearance of, and enliven, this rather compromised and incoherent stretch of road and to mask some unattractive built elements. It would provide a more fitting 'end stop' to the view southwards on Queensberry Mews.
- 9.16. A simple contemporary design is considered appropriate to distinguish the spa building from the historic buildings. The massing of the building has been broken down to better reflect the original plot width and the verticality of the rear elevations. The proposed use of flint for the ground floor elevation, to reflect the surviving sections of flint wall, is considered to be entirely appropriate and would be an improvement over the current haphazard ground floor level appearance.
- 9.17. The quality, texture and detailing of the terracotta hued cladding materials are crucial to a successful scheme. Details of materials can be secured by condition. It is also important to consider how lighting can contribute to making this section of Queensberry Mews, and the spa building itself, more hospitable. The proposed perforated metal mesh would appear to allow internal lighting to penetrate through to the outside after dark. However, it is recommended that a lighting strategy is secured by condition.

Heritage Summary

- 9.18. Overall, there are a number of positive elements to the proposals that taken together would clearly enhance the appearance and character of the Regency Square conservation area and would preserve or modestly enhance the settings of the two listed buildings whilst causing no harm to the settings of the two locally listed buildings.
- 9.19. There would be some harm to the two listed buildings through loss of some historic fabric however there would also be some heritage benefits through restoring the character and status of the ground floor rooms and more generally

through repairing the fabric and features of the buildings. Subject to the recommended conditions it is considered that the net heritage balance would be positive. The City Council's Heritage Officer has no objection to the scheme.

- 9.20. It is noted that CAG has some objections, particularly with regard to the harm caused to the varied and irregular building heights and roof lines, the proposed spa building and the loss of the courtyard, and the impact on the nearby church. The concerns are acknowledged, however for the reasons outlined above the overall benefit of the scheme is considered to outweigh the proposed loss of some historic fabric.

Impact on Amenity:

- 9.21. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part 2 (which can be given significant weight) state that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.22. The use of the site as an amalgamated hotel, rather than two single hotels is not considered to give rise to any amenity concerns.
- 9.23. However, a new entrance would be created to the rear of the site in Queensbury Mews which hotel and spa guests can access. Queensbury Mews has six mews houses at its northern end, together with some converted service buildings now forming a few dwellings to the southern end. There is a pub, the Queensbury Arms, directly to the east of the site, and a church opposite.
- 9.24. The new entrance would inevitably lead to increased activity within Queensbury Mews. However, the hotel would not be large (33 bedrooms); the spa would operate reasonable hours (09:30 - 20:00) and could accommodate a maximum of only 6 guests per hour. Additionally, a proportion of the spa guests are likely to be staying at the hotel. Most of the spa staff (7) would arrive during the morning peak, however, are likely to depart at different points during the working day.
- 9.25. Hotel guests could use this access at any point during the day and it also has direct access to the cycle store. This potential additional activity on Queensbury Mews is acknowledged however, given the size of the hotel, it is not considered to be so harmful so as to warrant refusal of the application on this basis. Delivery arrangements remain similar to those under the previous hotels, however with an on-site loading bay proposed which would be a benefit. The inconvenience caused from refuse vehicles obstructing traffic flows is noted, however this is likely to be relatively infrequent and not an unusual situation for streets within the city. Delivery and Services arrangement can be secured by condition.
- 9.26. Given the above it is considered that the level of activity and noise envisaged would not be inconsistent with a city centre location or have a significantly harmful impact on the living conditions for local residents. Indeed, the new spa, with an appropriate lighting scheme, has the potential to improve the

appearance of and enliven this section of the street, making it appear more hospitable. This would be of benefit to local residents and those frequenting the hotel, pub and church.

- 9.27. Hours of use of the spa can be secured by condition. Sussex Police refer to stipulating hours of use for the restaurant/ bar, however it is considered that the hotel of this nature within this lively area can manage its own hours of operation, within the boundaries of its licensing arrangements. The restaurant is unlikely to operate late hours, and the bar is likely used by hotel guests later on in the evening.
- 9.28. It is noted that a flue and various plant equipment is proposed at the site. However the equipment would be enclosed and it is considered that any noise produced would be heard in context with the use of the site as a hotel and the general activity that would encompass. In any case, the plant would be set a sufficient distance from residential properties so as to not cause harmful noise/ disturbance.
- 9.29. Neighbour objections are noted regarding potential shadow from the two-story spa building. A sunlight analysis has been submitted with the application. This clearly demonstrates that, due to the orientation and height of the existing buildings, the sun's path, and the fact that the proposals are to the north, there would only be a minor increase in overshadowing over the existing situation. Overshadowing would be marginal and only at certain times of the year, and for a limited time. There would be no harmful impact on habitable rooms or neighbour amenity to such an extent to warrant refusal of the application. Objections are also raised to the impact on sunlight from the raised main roof of the existing building. Again, due to the existing buildings the impact would be minimal, and then only for a short period of time each day.

Sustainable Transport:

Trip generation

- 9.30. Based on the reduction in the number of rooms at the hotel (33 rather than 36) and the small scale (7 staff, 5 treatment rooms) of the proposed on-site spa facilities, it is considered that the development would not lead to a significant increase in vehicle traffic. By amalgamating the two existing hotels, the number of delivery and servicing trips would be consolidated and potentially reduced.
- 9.31. Given the central location of the site, access to public transport (Brighton Station and bus stops are walking distance to the site), that no car parking is proposed and that there are a range of public parking options available locally, it is not envisaged that the proposals would result in a severe impact on the local road network. Any changes based on the overall development are therefore expected to be minimum.

Site Access

- 9.32. The main pedestrian access into the hotel would continue to be from Kings Road, where the existing entrances are located. A new entrance would also be created at the rear of the hotel from Queensbury Mews, which would be available

for hotel and spa guests, including cyclists as on-site cycle parking would be available.

- 9.33. There is not considered to be an appropriate vehicle drop off location within the vicinity along Kings Road. Therefore, luggage drop-off / collection would be possible via the new arrangement and loading bay to the rear of the site, which is considered to be an improvement. The existing taxi rank along Kings Road is also located within walking distance and is considered appropriate for use by patrons of the proposed hotel and spa.
- 9.34. Delivery and servicing vehicles would access the site via Queensbury Mews; this is not materially different to the previous arrangements. A loading area is proposed within the site which is considered suitable for light vehicles such as vans; this would help to ensure footways are not obstructed. This would be of benefit and an improvement over the current servicing arrangements.
- 9.35. It is anticipated that refuse collection vehicles would wait on Queensbury Mews and service the site from there. This would be undertaken by a private contractor with, presumably, appropriately sized vehicles. It is acknowledged that there is the potential for a refuse vehicle to obstruct traffic flows for a short time whilst in the street, however this should be relatively infrequent.
- 9.36. Notwithstanding the above, it is considered appropriate that a delivery and service management plan should be secured by condition, outlining type and frequency of the deliveries.

Car Parking

- 9.37. The development does not propose provision of any car parking on-site, which is consistent with the existing situation for the two hotels. It is proposed that guests and non-hotel resident users of spa would be informed of the parking arrangements prior to their visit, including the availability of disabled parking provision at the Regency Square car park. This is considered acceptable.

Cycle Parking

- 9.38. Based on the requirements set out in SPD14, the development is required to provide 4 long stay spaces for patrons as well as an additional 5 long stay spaces for staff and 2 short stay spaces. The development would provide 9 cycle parking spaces within the delivery store at the rear of the hotel in the form of vertical hanging racks. Additionally, a further 6 cycle parking spaces are proposed in the form of Sheffield stands sited in the courtyard area at the rear of the hotel, to accommodate short stay parking or any cargo / enlarged bikes. Furthermore, a Brompton folding bike would be available on-site for use by patrons. This level of provision exceeds the minimum cycle parking provision required under SPD14 and is therefore acceptable.
- 9.39. The Council's Highways Officer has no objections to the scheme.

Sustainability:

- 9.40. Policy CP8 states that all new development incorporate sustainable design features to avoid expansion of the city's ecological footprint, help deliver the principles of the One Planet approach, radical reductions in greenhouse gas emissions, particularly CO2 emissions, and mitigate against and adapt to climate change.
- 9.41. Sustainability measures outlined in the submission documents for refurbishment to the existing buildings (including listed buildings) include low energy lighting, low energy and water use appliances to minimise water consumption, locally sourced building materials to minimise carbon footprint.
- 9.42. Measures for the new build spa extension would include the above, plus passive measures for energy reduction, high performance solar controlled glazing, high performance insulation, green roof to bring biodiversity. As the scheme is not a stand-alone 'new build' commercial development, BREEAM standards would not be required in this instance. However it is considered that the proposed sustainability measures set out in the Design and Access Statement are a benefit that weight in favour of the proposal and as such should be secured by condition.

10. EQUALITIES

- 10.1. Inclusive design measures include:
- Two accessible rooms at ground floor;
 - New accessible toilets;
 - Level access to the hotel and spa from Queensbury Mews;
 - Passenger lift extended to all floors, including lower ground floor bar and restaurant;
 - Corridor widths to accommodate wheelchair users.
- 10.2. There is no on-site vehicle parking proposed, as per the existing situation, and therefore no disabled car parking spaces on site. The submitted Transport Statement sets out that disabled parking provision is available within the Regency Square car park, approximately 230m from the site. In addition to this, during pick up and drop off, blue badge holders could park on yellow lines on the surrounding roads for a short duration if required. A taxi rank is located adjacent to the Metropole Hotel, approximately 30m walking distance from the site.

11. CLIMATE CHANGE/BIODIVERSITY

- 11.1. The site, being within the city centre, has good links to all facilities including shops, and is well served by public transport, reducing reliance on cars. The works would modernise and refurbish the existing buildings, bringing them back into use.

