

<b><u>No:</u></b>	<b>BH2021/02909</b>	<b><u>Ward:</u></b>	<b>Regency Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>125 - 126 Kings Road Brighton BN1 2FA</b>		
<b><u>Proposal:</u></b>	<b>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 &amp; railings to front elevation, internal alterations to layout and associated reinstatement &amp; restoration works.</b>		
<b><u>Officer:</u></b>	Sonia Gillam, tel: 292265	<b><u>Valid Date:</u></b>	01.09.2021
<b><u>Con Area:</u></b>	Regency Square	<b><u>Expiry Date:</u></b>	27.10.2021
<b><u>Listed Building Grade:</u></b>	<b>II</b>		
<b><u>Agent:</u></b>	CMK Planning 11 Jew Street Brighton BN1 1UT		
<b><u>Applicant:</u></b>	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** 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. 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 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.

3. 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.

4. The internal works hereby permitted shall not take place until full details of the proposed new staircase to number 125 Kings Road and new internal doors to 125 and 126 Kings Roads including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

**Reason:** To ensure the satisfactory preservation of this listed building to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part one.

5. All internal masonry walls with exposed brickwork or bungaroosh shall be re-plastered in a smooth lime-based plaster.

**Reason:** To ensure the satisfactory preservation of this listed building to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part one.

6. The proposed external colour-scheme to the render, joinery and architectural metalwork must match the existing unless otherwise agreed in writing by the Local Planning Authority.

**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.

7. 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 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

8. All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

**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.

9. This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

**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.

Informatives:

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	676_01	B	6 August 2021
Location Plan	676_01	C	1 September 2021
Block Plan	676_111	A	1 September 2021
Proposed Drawing	676_DM01	F	6 August 2021
Proposed Drawing	676_DM02	F	6 August 2021
Proposed Drawing	676_DM03	F	6 August 2021
Proposed Drawing	676_DM04	F	6 August 2021
Proposed Drawing	676_DM05	F	6 August 2021
Proposed Drawing	676_DM06	F	6 August 2021
Proposed Drawing	676_DM07	F	6 August 2021
Proposed Drawing	676_DM08	F	6 August 2021
Proposed Drawing	676_DM09	G	6 August 2021
Proposed Drawing	676_200	F	6 August 2021
Proposed Drawing	676_201	F	6 August 2021
Proposed Drawing	676_203	F	13 October 2021
Proposed Drawing	676_099	J	6 August 2021
Proposed Drawing	676_100	J	13 October 2021
Proposed Drawing	676_101	J	6 August 2021
Proposed Drawing	676_102	J	6 August 2021
Proposed Drawing	676_103	J	6 August 2021
Proposed Drawing	676_104	J	13 October 2021
Proposed Drawing	676_105	J	6 August 2021
Proposed Drawing	676_300	E	6 August 2021
Proposed Drawing	676_302	F	6 August 2021
Proposed Drawing	676_303	F	6 August 2021
Proposed Drawing	676_304	F	13 October 2021
Proposed Drawing	676_306	F	13 October 2021
Proposed Drawing	676_308	F	13 October 2021

**2. SITE LOCATION**

- 2.1. The application refers to Nos.125-126 Kings Road which are grade II listed buildings. The buildings are 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. The site is currently vacant, however previously formed the Cecil Hotel.
- 2.2. The site lies within the Regency Square conservation area and these properties form part of a Regency period terrace of townhouses between Regency Square and Queensberry Mews.
- 2.3. 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. **BH2021/02932** 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. 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 listed building consent for alterations to facilitate the amalgamation of two hotels including the following works:
  - Erection of a two-storey rear extension to form a spa;
  - New hard landscaping, boundary walls and railings to the front elevation;
  - New plant enclosure and winter garden to rear;
  - Internal alterations to the layout including lowering basement floor, introduction of corridor, blocking up of opening, new en-suite facilities, new staircase.

- 4.2. Following comments from the Council's Heritage Officer, minor amendments have been received during the lifetime 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 comprises the former Cecil House Hotel (No.126) and Granville Hotel (Nos.123-125). Nos. 123 and 124 are not listed. These wider works are being assessed under the concurrent Full Planning Application ref: BH2021/02932.

## 5. REPRESENTATIONS

- 5.1. **Three (3)** representations received objecting to the proposal for the following reasons:
- Development would occupy almost entire courtyard
  - LPA previously granted smaller building in 2012
  - Quality/ accuracy of submission documents
  - Design/ lack of architectural merit in proposal
  - Visual Impact
- 5.2. Objections relating to highway safety and traffic issues are noted, however are not material considerations in relation to a listed building consent application.

## 6. CONSULTATIONS

- 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.
- 6.2. **Heritage: No objection**  
There would 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. **Historic England:** No Comment

**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
CP15	Heritage

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

HE1	Listed Building Consent
HE4	Reinstatement of original features on Listed Buildings
HE6	Development within or affecting the setting of conservation areas

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.

DM26	Conservation Areas
DM27	Listed Buildings
DM29	The Setting of Heritage Assets

Supplementary Planning Guidance:  
SPGBH11 Listed Building Interiors

Supplementary Planning Documents:  
SPD09 Architectural Features  
SPD17 Urban Design Framework

## **9. CONSIDERATIONS & ASSESSMENT**

- 9.1. In considering whether to grant listed building consent 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. 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 should be given "considerable importance and weight".

### Works to the Listed Buildings Interiors

- 9.2. The significance of the interiors now largely resides at ground and part first floor levels, the original principal floors and where the majority of historic architectural features such as fireplaces, ornate plasterwork and joinery survive. Therefore, the proposal to lower the basement floor at number 125 is not considered to be a harmful alteration in principle given the degree of past change at this level.
- 9.3. The proposed floor plans involve the removal of later partitions which divide the front rooms in a north-south direction in 126, however instead propose the introduction of an east-west corridor and a reduction in the depth of the front rooms, together with more intensive en-suite facilities at first floor level.
- 9.4. The proposals would appropriately concentrate on retaining and enhancing the significance of these floors, especially at ground floor level where the communal areas and facilities would enable them to be more widely appreciated. The proposed en-suite facilities would not be full height, so that the proportions of these rooms and the design of the ceiling cornices could be better appreciated.
- 9.5. The reorientation of the upper level staircase to number 125 has been justified based upon the historic 1894 plan included in the addendum to the Heritage Statement. This shows that the current stair dates from the 1894 alterations when an additional full storey was added and the floor level raised. The previous stair arrangement is not known, however it would not have been an extension of the main stair as now proposed. Although the proposed new stair would result in the loss of some historic fabric, the original arrangement has been much compromised, therefore the significance of this stair is low. The new stair balustrade should be simple and be distinguishable from the original stair below to avoid creating an impression that it is historic; details are recommended by condition.

#### Proposed Spa Building

- 9.6. The two-storey proposed spa building 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.
- 9.7. 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.
- 9.8. 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.
- 9.9. 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.

#### The Kings Road front area

- 9.10. 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.

## **10. CONCLUSION**

- 10.1. It is considered that there would some harm to the historic character and appearance of 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, such that the net balance would be neutral.
- 10.2. With regard to the wider scheme, overall, there are a number of positive elements to the proposals that overall would clearly enhance the historic 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.
- 10.3. Subject to the recommended conditions, it is considered that the net heritage balance would be positive and the proposed works would not harm the historic character or appearance of the Grade II listed buildings or wider conservation area, in accordance with policies HE1, HE4 & HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One, and DM26, DM27



and DM29 of the City Plan Part Two which carry significant weight and are therefore a key material consideration in making a planning decision.

- 10.4. 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 historic fabric. The City Council's Heritage Officer supports the scheme.

**11. EQUALITIES**  
None identified

**12. CLIMATE CHANGE/BIODIVERSITY**

- 12.1. 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.

