

<u>No:</u>	BH2016/02812	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	Flat 4, 18 Lewes Crescent, Brighton, BN2 1GB		
<u>Proposal:</u>	Internal alterations to layout of flat.		
<u>Officer:</u>	Laura Hamlyn, tel: 292205	<u>Valid Date:</u>	27.07.2016
<u>Con Area:</u>	KEMP TOWN	<u>Expiry Date:</u>	21.09.2016
<u>Listed Building Grade:</u>	Listed Building Grade I		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road, Brighton, BN1 5PD		
<u>Applicant:</u>	Mrs Rebecca Partridge, C/O Lewis and Co Planning SE Ltd, 2 Port Hall Road, Brighton, BN1 5PD		

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 All new and replacement rainwater goods, soil and other waste pipes 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 and Hove City Plan Part One.

Informatives:

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

Plan Type	Reference	Version	Date Received
Location and block plan	1200/1		27 July 2016
Floor Plans Proposed	1200/1		27 July 2016
Sections Proposed	1200/3		27 July 2016
Sections Proposed	1200/4		27 July 2016
Large Scale Details	1200/5		27 July 2016
Ventilation Strategy	1200/6		8 December 2016

Other	PHOTOS		23 January 2017
Statement	PLANNING/HERITAGE		27 July 2016
Existing Floor Plans	DATED 29/12/1971		27 July 2016
Existing Floor Plans	DATED 01/10/1985		27 July 2016

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application relates to a Grade I Listed Building in the Kemptown Conservation Area. The application seeks consent for internal alterations to the layout of the second floor flat, the removal of secondary glazing and to re-level the floor in the living room.

3. RELEVANT HISTORY

BN85/0963/LBC- Internal alterations. Approved 3010/1985.

4. CONSULTATIONS

- 4.1 **Heritage:** Seek additional information

- 4.2 Statement of significance

This is a Grade I Listed Building part of the estate designed by Wilds and Busby c1823 for Thomas Kemp, in what is now designated as the Kemptown Conservation Area.

- 4.3 The interior of the flat has not been inspected, however from the submitted plans it is clear that there have been alterations in the past that affect the significance of the planform at this level of the building.

- 4.4 NB. With reference to the Planning and Heritage Statement accompanying this application, the interior of this building is not mentioned in the listing because only publicly accessible buildings were inspected internally during designations made in 1952. The listing descriptions of this era are only intended for identification purposes and do not itemise features of interest or importance, and it is not correct to state that the interior is not of significance because it is not mentioned.

- 4.5 The Proposals and Potential Impacts

The current proposal is primarily for regularisation of the existing layout which has been in place for some time. This differs from the layout approved by Brighton Council in 1985, but not in a way that is considered to further harm the significance of the building.

- 4.6 In addition to the layout, the application proposes the removal of secondary glazing and re-levelling the floor in the living room.

- 4.7 On the basis that the implemented layout causes no additional harm to the significance of the interior than the approved 1985 scheme would have done,

had it been implemented, it is not considered that an objection can be made to it in principle. However it would seem that arrangements for drainage and ventilation were not part of the previous application, and it is normal nowadays for such details to be requested before applications can be determined, as the consequences for historic interior can be unacceptable where they involve visible boxing of drainage at skirting level or raised floors. The alternative can sometimes be the need to route pipework through structural timber and this is also unacceptable due to loss of original fabric. The difficulties in accommodating the necessary infrastructure can therefore make a proposal unacceptable, and a further comment will be made once this information is submitted.

4.8 The proposals to remove modern secondary glazing and the raised living room floor are acceptable.

4.9 *NB: During the course of this application additional information has been submitted.*

4.10 **Heritage: Updated comment**

The internal route for the drainage is under the floor and will conform to our normal approach on such proposals. The applicant has submitted confirmation that the available gradient is adequate for the purpose. Externally the pipe will emerge just above the fire escape landing, and run through an existing gap to the hopper immediately below. On this basis if it was the same colour as the wall it would have little additional impact to that of the existing pipes in this location and is acceptable.

5. REPRESENTATIONS

5.1 **Eight (8)** letters have been received, objecting to the proposed development for the following reasons:

- The proposed kitchen is immediately above a main living room and the waste pipe runs over the ornate ceiling below. Leaks from the waste pipes from the kitchen have previously caused damage to the ornate ceiling.
- There may be insufficient drop to drain the waste water from the kitchen.
- The kitchen should be moved to its original position.
- A flat of this size should be a one bedroom unit rather than two bedroom unit.
- Freeholders were not properly consulted on the application.

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:

SPGBH11 Listed Building Interiors

Supplementary Planning Documents:

SPD09 Architectural Features

8. CONSIDERATIONS & ASSESSMENT

8.1 Subject to the recommended conditions, the proposed works would not harm the historic character or appearance of the Grade I Listed Building, in accordance with policies HE1 and HE4 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

8.2 Representations concerning the risk of damage due to leaks from the drainage from the kitchen are noted. However on the basis of the information provided by the agent the waste route proposed is considered to be no more concerning than normal in such circumstances and would therefore not warrant refusal of this application.

8.3 It was brought to the attention of the Local Planning Authority during the course of this application, that the freeholders of the other flats to 18 Lewes Crescent were not properly notified of the application. The agent certified on Certificate B on the application form that the requisite notice was given to everyone who was the owner of any part of the land or building to which this application relates. However notice was originally only served on the managing agent for the property. During the course of the application, a copy of the notice served and a

revised Certificate B were submitted to the Local Planning Authority. No additional representations were received following this consultation process.

9. EQUALITIES

9.1 None identified.

