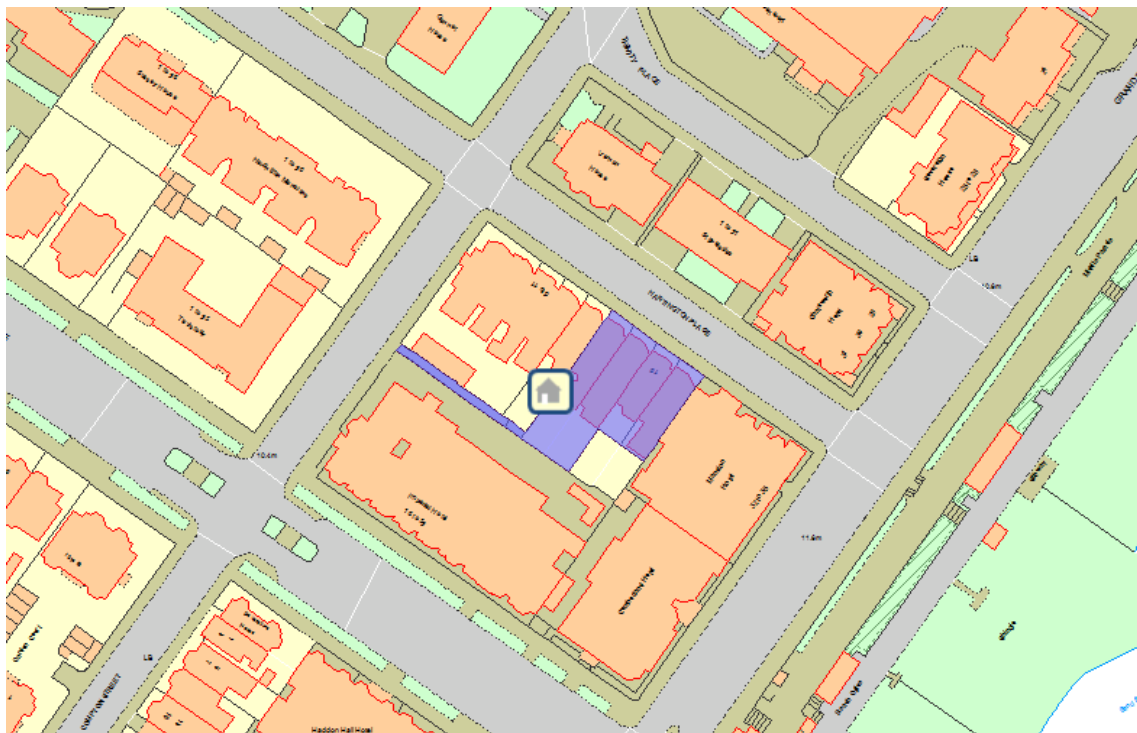


App.No: 200308	Decision Due Date: 30 June 2020	Ward: Meads
Officer: James Smith	Site visit date: 2nd July 2020	Type: Listed Building Consent
Site Notice(s) Expiry date: 11 th June 2020		
Neighbour Con Expiry: 11 th June 2020		
Press Notice(s): 10 th July 2020		
Over 8/13 week reason: Committee cycle, although Extension of time has been secured		
Location: Mansion (Lions) Hotel, 32-35 Grand Parade, Eastbourne		
Proposal: : Conversion of rear of hotel at 15-21 Hartington Place to 21N° two bedroom flats (Outline planning application under reference 200280)		
Applicant: Mr Abid Gulzar		
Recommendation: Grant Listed Building Consent		

Contact Officer(s): **Name:** James Smith
Post title: Specialist Advisor - Planning
E-mail: james.smith@lewes-eastbourne.gov.uk
Telephone number: 01323 415026



1 Executive Summary

- 1.1 It is considered that the proposed works would not result in the loss of any significant part of the historic fabric of the building and would not compromise the overall character and setting of the Grade II Listed Building. The works would facilitate a use that would support ongoing occupation and maintenance of the building.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework

16. Conserving and enhancing the historic environment.

2.2 Eastbourne Core Strategy Local Plan Policies 2013

D10.Historic Environment
D10a.Design

2.3 Eastbourne Borough Plan Saved Policies 2007

UHT17. Protection of Listed Buildings and their Setting.

3 Site Description

- 3.1 The site is occupied by numbers 15-21 Hartington Place, which were originally four individual 5-storey (including basement level) townhouses but have since had their floor space amalgamated to form part of the Mansion (Lions) hotel. The buildings form part of a terrace along with numbers 13, 11, 9, 7 and 5 Hartington Place, the full extent of which is Grade II Listed. These buildings were erected between 1855 and 1860.
- 3.2 The easternmost building, No. 21 Hartington Place, has been extended to the rear to its full height, with the roof also altered to a mansard form in order to provide an additional storey within the roof space. The exteriors of the remaining buildings are largely unaltered from their original appearance although the front doorways of numbers 21, 17 and 15 have been partially infilled and the doors replaced with windows. All buildings have distinctive curved frontages, round arched porches with Doric columns over original main entrance, a stringcourse over first floor window heads, cornice with modillions above second floor window heads and a parapet at the roof eaves. The cornice of the porches continues over ground floor window heads and iron balcony railings are installed to the front of first floor windows above the cornice. To the rear, there are bay windows at basement, ground and first floor level of each building as well as raised terraces and landscaped amenity space.
- 3.3 Ground floor level is slightly raised from street level and the main entrance is reached by a set of steps. The site frontage is marked by painted iron railings.

- 3.4 The Mansion hotel comprises the application buildings as well as an interconnected 6-storey building which fronts Grand Parade. Overall, the application buildings accommodate 32 x hotel rooms. The basement level is used solely for ancillary office space. There is a self-contained flat at ground floor level as well as dining rooms used by hotel guests. It is stated that approximately 80 rooms would continue to be provided in the retained part of the hotel. The hotel is advertised as providing 106 rooms overall.
- 3.5 Surrounding development comprises large hotel buildings of 6-storeys plus which face onto Grand Parade and represent the main ribbon of hotel development along Eastbourne seafront. Side streets such as Hartington Place are generally defined by Victorian townhouse style 4 and 5-storey buildings, many of which have roof/rear extensions and have been converted to tourist use. Primary shopping areas in the town centre are nearby to the north whilst the seafront, attractions and theatres are close by to the south and west.
- 3.6 The site is located within the Eastbourne Town Centre and Seafront Conservation Area. It also falls within the secondary sector of the Tourist Accommodation Area (as per the Tourist Accommodation Supplementary Planning Document). There are no other specific planning designations attached to the site although there are mature trees subject to TPO's to the rear of the neighbouring properties.

4 Relevant Planning History

- 4.1 500175
Provision of glazed screen and balcony.
Approved unconditionally – 9th June 1950
- 4.2 550105
Alterations forming additional lavatory, accommodation and stairway.
Approved unconditionally – 15th March 1955
- 4.3 570347
Conversion of hotel into 8 flatlets including housekeepers living accommodation.
Approved conditionally – 17th November 1957
- 4.4 600135
Formation of staff entrance and steps to basement of hotel.
Approved conditionally – 11th March 1960
- 4.5 620080
New connecting doorway at ground floor level to incorporate No. 17 with the Mansion Hotel.
Approved conditionally – 8th March 1962
- 4.6 620080
New connecting doorway at ground floor level to incorporate No. 17 with the Mansion Hotel.
Approved conditionally – 8th March 1962

4.7 620218
Alterations to convert existing premises (15 and 17 Hartington Place) to form extension to Mansion Hotel.
Approved unconditionally – 15th May 1962

4.8 080386
Retrospective planning application for removal of seven timber framed sash windows and replacement with UPVc framed sash windows at lower ground floors of 15, 17 and 19 Hartington Place.
Refused – 2nd September 2008

5 Proposed development

5.1 External Works:

5.1.1 The proposal involves converting 15-21 Hartington Place to allow for the formation of 21 x self-contained flats. All but one of the flats would be 2 bedroom properties, with the remaining flat being one bedroom. Flats would be provided at a rate of 4 per floor (lower ground to third floor) with a single flat accommodated within the existing roof extension at No. 21.

5.1.2 External alterations made to the existing buildings would be restricted to the rear elevation and would consist of the following:-

- Removal of existing single-storey flat roof basement extensions/terraces;
- Removal of external staircase providing access to first floor;
- Removal of first floor external door and replacement with window unit;
- Replacement of bay window unit at first floor on No. 15 and bay window/doors at ground floor level on all units;
- Formation of new windows/doors at basement level to provide access to amenity areas;
- Formation of new external door at ground floor level to rear of No. 19;
- Creation of bridge access from rear of site to new ground floor entrance.

5.1.3 The main access to the flats would be via the existing ground floor entrance on Hartington Place. Basement, first floor, second floor and third floor flats would be accessed by way of a communal internal staircase or by lift. The fourth floor flat would have an additional staircase taken from the third floor level and would not be served by a lift.

5.1.4 The two rear facing basement units (flats 2 and 3) would have direct access to an outdoor patio/terrace area. Remaining flats will have access to a landscaped communal garden which would include a seating area and cycle and bin storage facilities. The communal garden would be accessed via the proposed bridge footpath. The amenity area could also be accessed from the rear of the site via the existing service road.

5.2 Internal Works:

5.2.1 The proposed flats would be accessed from a single communal stair and lift.

Existing stairs at numbers 15 and 21 would be removed. A the new stair would be formed at number 17 and would occupy areas on the all floors from lower ground to third that are currently part of the main corridor running between the buildings. The lift shaft would be installed in number 19. This would also serve all floors other than the fourth and would utilise space currently forming part of corridors. To achieve these works, a small amount of partition walling would need to be removed as well as larger amounts of ceiling.

5.2.2 A new corridor would be formed, running from the main access at the front of the building to the amenity area and step free access to the rear. The proposed stair and lift would be positioned on either side of this corridor. This corridor would be at ground floor level only. A modest amount of partition wall would need to be removed to allow for the formation of the corridor.

5.2.3 Other internal alterations involve subdividing each floor into flats. A significant amount of internal modifications have been made in the past to convert the building to hotel use and the formation of flats would largely involve removal of partition walls and the infilling of a small amount of openings, primarily in the former corridor areas, in order to make each flat self-contained.

6 Consultations

6.1 Specialist Advisor (Conservation and Listed Buildings)

6.1.1 This application seeks permission to develop four properties currently forming part of this centrally located hotel operating out of a listed building and in a conservation area as residential apartments. The property has been extensively adapted over the years so the redevelopment does not significantly compromise an enduring floor plan or historic features and fabric. Hearteningly, it proposes retaining the facade on to Hartington Place as virtually unchanged, thereby securing one of the site's strongest assets whilst creating the conditions that allows for the remainder of the hotel to continue operating. The retention of uPVC windows on the rear elevation is, however, unfortunate and gives rise to concern, and it would be helpful if these could be upgraded to something more appropriate. On balance, however, the application has a neutral impact and is not felt to compromise the integrity of the individual listing through loss of significance or to create any major challenge to the character and appearance of the host conservation area.

6.2 Conservation Area Advisory Group

6.2.1 The properties have been subject to extensive adaptations over the years, with changed configurations and a complete loss of historic fabric. The front façade, which is largely unchanged, is retained as part of the proposed development. Overall, the application is deemed acceptable, though the preference would be for the installation of more sympathetic windows to the rear elevation.

7 Neighbour Representations (objections to the tandem planning application (200280) have also been included due to the overlap in points raised. Only objections relating to the setting of the Listed Building are material in the consideration of this application. A summary of material concerns raised

is provided below.

7.1 6 Letters of objection have been received, the contents of which include the following points:-

- Not a sympathetic development of a Grade II Listed Building;
- Failure to replace uPVC windows with timber contradicts National Planning Guidance;
- No details of external decoration provided;

8 Appraisal

8.1 Principle:

8.1.1 As this is an application for Listed Building Consent only, it is not subject to the full gamut of planning policies. The application will be determined in accordance with Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), which states:-

'In considering whether to grant listed building consent for any works the local planning authority ... shall 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.'

8.1.2 Para. 192 of the NPPF states that, in determining applications, local planning authorities should take account of:-

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

8.1.3 This is echoed in National Planning Practice Guidance which states that 'putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation' whilst also providing interpretation as to what represents 'viable use' stating that 'it is important that any use is viable, not just for the owner, but also for the future conservation of the asset (para. 015).

8.1.4 Given the relatively modest scale of the proposed works and the fact that the original building would not be subject to any external alterations or modifications, to the front it is considered that the proposed works would result in less than substantial harm upon the significance of the heritage asset. The planning determination of this application therefore needs to provide balance between ensuring a continued viable economic use of the building whilst also safeguarding the integrity of the site as a historic asset as per para. 196 of the Revised NPPF.

8.2 Impact upon Listed Building:

8.2.1 Para. 192 of the Revised NPPF instruct that, when determining planning applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

8.2.2 It should be established whether proposed works would cause substantial harm, total loss or less than substantial harm towards a designated heritage asset (in this case the Grade II Listed Building). Para. 018 of the Planning Practice Guidance for the Historic Environment states 'in general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest.

8.2.3 It is considered that the external works would improve the setting of the Grade II Listed Building by way of removing unsympathetic features such as the flat roof extensions to the lower ground floor and external staircase. Fenestrations would also be restored to a configuration that would be more in-keeping with the original building design, with a number of external doors and modified windows being returned to window openings. Although uPVC window frames would be installed to new openings to the rear of the building, this would be consistent with the existing arrangement on this elevation. It would not be considered reasonable, or within the remit of determining this application, to require all existing uPVC units to be restored to timber frames as these are existing features and not part of the works for which permission is being sought. The building frontage, which is where its most distinctive architectural features are positioned and also by far the most prominent elevation of the building would retain timber framed windows and openings.

8.2.4 The internal layout of the scheme would be largely fitted around the original fabric of the building interior. The majority of walls to be removed are partition walls that were installed to allow the formation of small hotel rooms and the opening up that would result from the removal of these walls would be more consistent with the original layout of the buildings. New partition walls would be kept to a minimum and positioned so as to not compromise distinctive elements of the building such as the curved window arrays to the front elevation and the bay windows to the rear.

8.2.5 The new stair and lift shaft would require the removal of sections of the ceilings but would be located in existing corridor areas so as to minimise their intrusiveness to overall building layout. The stair at number 21, which is to be entirely removed, is an original feature, albeit heavily modified. It is therefore not

considered to possess significant heritage value nor would it be feasible to restore and adapt it to serve the proposed use.

8.2.6 Para. 196 of the NPPF states that, where development would cause less than substantial harm 'this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

8.2.7 The definition of optimum viable use is explained in para. 015 of the Planning Practice Guidance for the Historic Environment as follows. 'If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.'

8.2.8 In terms of the character and setting of the Grade II Listed Building, it is considered the proposal would have a negligible impact. The proposed use would likely secure the long term occupation and maintenance of the Grade II Listed Building and is considered to be more resilient to pressures to change (through internal alterations, installation of plant and machinery) as opposed to the existing hotel use.

8.2.9 It is therefore considered that the proposed development would sustain and enhance the significance of the building by removing unsympathetic elements and allowing an optimum viable use of the building. By providing additional housing, the proposed development would also support sustainability within the community. It is therefore considered that the proposed development is consistent with the requirements of para. 192 of the revised NPPF.

9 Human Rights Implications

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

10.1 That Listed Building Consent is granted, subject to the following conditions:-

10.2 **Time Limit:** The development to which this consent relates shall be begun not later than three years beginning with the date on which this consent is granted.

Reason: To meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

10.3 **Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved drawings:-

- 2870 01 – Site Location and Block Plans;
- 2870 12 – Proposed Lower Ground Floor;
- 2870 13 – Proposed Ground Floor;
- 2870 14 – Proposed First Floor;
- 2870 15 – Proposed Second Floor;
- 2870 16 – Proposed Third Floor;
- 2870 17 – Proposed Fourth Floor;
- 2870 18 – Proposed Front Elevation;
- 2870 19 – Proposed Rear Elevation;
- 2870 20 – Proposed Rear Elevation;

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

10.4 **Repair and Make Good:** Upon completion of the works hereby approved, any damage caused to the building by the works shall be made good within 3 months using appropriate materials that match those which were damaged.

Reason: In the interest of preserving the historic fabric of the Grade II Listed Building in accordance with saved policy UHT17 of the Eastbourne Borough Plan and policy D10 of the Eastbourne Core Strategy.

10.5 **Matching Materials:** All infilling works shall be carried out using materials that match those of the wall in which the opening is formed.

Reason: In the interest of the setting of the Grade II Listed Building in accordance with saved policy UHT17 of the Eastbourne Borough Plan and policy D10 of the Eastbourne Core Strategy.

10.6 **Door Specification:** Before the installation of any new internal and external doors, full specifications of the joinery details for the doorway as well as specification of door dimensions (including thickness), design and materials shall be submitted to and approved by the Local Planning Authority.

Reason: In the interest of the setting of the Grade II Listed Building in accordance with saved policy UHT17 of the Eastbourne Borough Plan and policy D10 of the Eastbourne Core Strategy.

11 **Appeal**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.