

<u>No:</u>	BH2023/00953	<u>Ward:</u>	Patcham Ward
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	9 The Village Barn Church Hill Brighton BN1 8YU		
<u>Proposal:</u>	Installation of glazed roof to atrium, and roof alterations incorporating the addition of solar panels and rooflights.		
<u>Officer:</u>	Sonia Gillam, tel: 292265	<u>Valid Date:</u>	26.04.2023
<u>Con Area:</u>	Patcham	<u>Expiry Date:</u>	21.06.2023
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	09.08.2023
<u>Agent:</u>	Jones Projects Holly Tree House Cuckfield Road Burgess Hill RH15 8RE		
<u>Applicant:</u>	Ka Ming Martina YU & Gum Bong Gabriel LAU 9 The Village Barn Church Hill Brighton BN1 8YU United Kingdom		

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
Block Plan			28 March 2023
Location Plan			26 April 2023
Proposed Drawing	Plans & Elevations		18 July 2023

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. The rooflights hereby approved shall have steel or cast metal frames colour-finished black or dark grey, fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM26 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

4. The proposed southern facing rooflight windows of the development hereby permitted shall be:

- Obscure-glazed, unless the parts which are clear-glazed are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
- Non-opening, unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part Two.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. SITE LOCATION

- 2.1. The application relates to an unlisted building within a terrace in the Patcham Conservation Area. The Village Barn is a short cul-de-sac with similar modern houses (nos. 8-14) on the north side. The development was converted from a small barn in the 1980s, however appears wholly modern in character, including substantial modern additions. Permitted development rights were removed for the dwelling when the original residential development was approved.
- 2.2. The southern elevation of the dwelling faces the Village Barn building to the south of the site, a locally listed heritage asset which forms the principle historic significance of the site. Formally a listed building, the Barn has a long, low form, with flint and brick walls and a slate roof. The building is believed to be the longest surviving barn in England, although it was completed in stages.
- 2.3. However, it was converted in the 1980s to residential use (nos. 1-7), a process which involved substantial changes, including the insertion of rooflights and the loss of the original roof structures. The building was subsequently de-listed.

3. RELEVANT HISTORY

- 3.1. None

4. APPLICATION DESCRIPTION

- 4.1. The application seeks permission for the installation of a glazed roof to the existing atrium, and roof alterations incorporating solar panels and the addition of rooflights in association with the creation of habitable accommodation in the roofspace. 2x new rooflights are proposed to the southern elevation and 1x new rooflight to the northern elevation. The solar panels are proposed to the rear southern roofslope and the flat valley roof area.

- 4.2. The plans have been subject to some relatively minor amendments during the life of the application with revisions to the siting of the solar panels and rooflights and the deletion of the air source heat pump from the plans.

5. REPRESENTATIONS

- 5.1. **Ten (10)** letters have been received objecting to the proposed development for the following reasons:
- Out of character with locale
 - Impact on heritage assets
 - Loss of symmetry
 - Impact on slate rooflines
 - Impact on views
 - Sets a precedent for further development
 - Misleading plans/ description
- 5.2. Objections relating to local covenants are noted, however are not material planning considerations.

6. CONSULTATIONS

Internal:

- 6.1. **Heritage:** No objection The house itself is of no historic significance. Very minor harm would be caused to the adjacent locally listed building's setting and the setting of the conservation area.

External:

- 6.2. **Brighton and Hove Archaeological Society:** Comment The development is unlikely to affect any archaeological deposits. However, the buildings and area maybe listed or have important historical aspects that may need to be protected. Recommend contacting County Archaeologist for comment.
- 6.3. **County Archaeologist:** No objection No significant archaeological remains are likely to be affected by the proposals.

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 City Plan Part Two (adopted October 2022);

- 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).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1 Presumption in Favour of Sustainable Development
 CP8 Sustainable Buildings
 CP12 Urban design
 CP15 Heritage

Brighton & Hove City Plan Part Two:

DM1 Housing Quality, Choice and Mix
 DM18 High quality design and places
 DM20 Protection of Amenity
 DM21 Extensions and alterations
 DM26 Conservation Areas
 DM28 Locally Listed Heritage Assets
 DM29 The Setting of Heritage Assets
 DM31 Archaeological Interest
 DM44 Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
 SPD09 Architectural Features.
 SPD12 Design Guide for Extensions and Alterations
 SPD17 Urban Design Framework

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the impact of the alterations on:
- the character and appearance of the building,
 - the setting of heritage assets including the Patcham Conservation Area,
 - impact on residential amenity and
 - sustainability impacts.

Design and Appearance:

- 9.2. 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. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".

- 9.3. Furthermore, alterations and extensions to a locally listed heritage asset, or new development within its curtilage, should respect the special interest of the asset.
- 9.4. The application building itself is considered to have minimal historic significance. However, the locally listed Village Barn building is within the setting of the application site.
- 9.5. The proposed solar panels and southern facing rooflights, due to their proposed placement on the modern roof form, would not be highly visible when viewed from the ground directly adjacent to the building. Furthermore, the roof alterations would only be visible when looking away from the locally listed building, so they would not be viewed in context or impact on its setting. There may be some visibility of the roof alterations from the allotments to the east, however, again they would not be seen in context with the locally listed Barn.
- 9.6. The existing roof is visible from Church Road to the south however the alterations to the southern elevation would be set well down from the ridge line and therefore would be barely visible from Church Road or within the wider Patcham Conservation Area.
- 9.7. The small rooflight proposed to the rear, facing Vale Avenue, would sit comfortably within the roofslope and would not add unacceptable visual clutter and is therefore considered to be acceptable. The installation of a glazed roof to the atrium is considered acceptable. It would not be seen from the public realm and therefore has no impact on the conservation area or adjacent locally listed building.
- 9.8. Given the above, any impact on the setting of the locally listed building and the Patcham Conservation Area would be of a very minor nature. The Council's Heritage Officer has no objections to the proposal, and the scheme is therefore considered acceptable in design terms. It is considered that the rooflights should be of conservation style with steel or cast metal frames, colour-finished black or dark grey and fitted flush with the adjoining roof surface to ensure an acceptable visual impact. This can be secured by condition.

Impact on Amenity:

- 9.9. Policy DM20 of City Plan Part Two states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.10. The impact on the adjacent properties has been fully considered in terms of impact on daylight, sunlight and outlook and no significant harm has been identified from the proposed alterations.
- 9.11. In terms of privacy, it is considered that the proposed front southern roof lights would potentially give views into the neighbouring atrium area, which is very private as existing. Therefore, it is recommended that these rooflights are

obscure glazed and fixed shut to prevent overlooking. This can be secured by condition. There would still be outlook achieved to the loft bedroom from the proposed front rooflight.

Standard of Accommodation:

- 9.12. Policy DM1 sets out Nationally Described Space Standards (NDSS) for dwelling and bedroom size. It is noted that the loft room created would be approximately 25m² in floor area, with 14m² above 1.5m head height, and 5m² above 1.8m head height. Therefore, head height may feel somewhat restricted, however it would meet the NDSS for bedroom size, and given that it's an additional bedroom within an existing dwellinghouse it is considered acceptable.
- 9.13. It should also be noted that permitted development rights were removed for this dwelling when it was granted permission in the 1980s, whereas it is acknowledged that most single dwellinghouses benefit from permitted rights and would not need planning permission for rooflights to convert a loft space.

Sustainability:

- 9.14. All development proposals should address climate change and seek to maximise opportunities for on-site electricity and heat production from solar technologies. The proposed solar panels are a renewable energy source. The development would therefore play a part in the drive to reduce carbon emissions, reduce energy costs to occupants, improve the city's energy resilience and support the growth of green jobs in accordance with policy CP8 of City Plan Part Two.

Conclusion:

- 9.15. It is acknowledged that there is a statutory presumption against granting permission for any development which would cause harm to a conservation area or heritage assets. The statutory presumption can be outweighed by material considerations powerful enough to do so. The level of harm would clearly be very minor in this case and less than substantial under the terms of the NPPF.
- 9.16. It is noted that the proposal is considered to positively contribute towards meeting the objectives of the City Plan policies in terms of energy efficiency and renewables. As such, it is considered that the benefits of the scheme far outweigh the very minor impact on the heritage assets in this case. Approval of the application is therefore recommended.

10. EQUALITIES
None identified

11. CLIMATE CHANGE/BIODIVERSITY

- 11.1. Solar panels are proposed which are a renewable energy source. The proposed rooflights and glazing would allow additional daylight and sunlight, reducing the reliance on artificial means of heating and light.