

<b><u>No:</u></b>	<b>BH2018/03198</b>	<b><u>Ward:</u></b>	<b>Rottingdean Coastal Ward</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>Lanterns The Green Rottingdean Brighton BN2 7DD</b>		
<b><u>Proposal:</u></b>	<b>Conversion of attic with dormers to front roof slope and roof lights to rear.</b>		
<b><u>Officer:</u></b>	Sam Bethwaite, 292138	tel:	<b><u>Valid Date:</u></b> 23.10.2018
<b><u>Con Area:</u></b>	Rottingdean	<b><u>Expiry Date:</u></b>	18.12.2018
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Building Technical Services 64 Ellerslie Lane Little Common Bexhill-on-Sea TN39 4LJ England		
<b><u>Applicant:</u></b>	Mr N James Lanterns, The Green Rottingdean Brighton BN2 7DD		

Councillor Mary Mears has requested this application is determined by the Planning Committee.

## 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 **REFUSE** planning permission for the following reasons:

1. The proposed front dormers disrupt the long uninterrupted clay tile roof of Lanterns. This is a key architectural feature and a clear reminder of the agricultural heritage of the site and wider historic farm complex. The proposed dormers fail to preserve and enhance the character of the Rottingdean Conservation Area and accordingly are contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

### 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. This decision is based on the drawings received listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan			18 October 2018
Block Plan			18 October 2018
Proposed Drawing	02-0918-03		18 October 2018

Proposed Drawing	02-0918-04		18 October 2018
Proposed Drawing	02-0918-05		18 October 2018

## 2. RELEVANT HISTORY

- 2.1. BH2018/00602 - Roof alterations including 3no front dormers & 3no rear rooflights. - Refused 26.04.2018.
- 2.2. Reason for refusal - The proposed front dormers are an unsympathetic and incongruous feature that would be out of keeping with the traditional character of the existing house and would detract from the character and appearance of the wider Rottingdean Conservation Area. Accordingly they are considered contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.
- 2.3. This decision was then appealed under reference APP/Q1445/D/18/3202580 and the appeal was dismissed 08.08.2018.

## 3. REPRESENTATIONS

- 3.1. **Seven (7)** letters has been received, supporting the proposed development on the following grounds: Good design, works required to accommodate family, in keeping with surroundings, not visible from the road, dormers represent a better design solution than rooflights, roof has already been disrupted by chimney, the applicants have been flexible in their approach by reducing the proposal.
- 3.2. **One (1)** letter has been received, objecting to the proposed development on the following grounds: Impact on the group value of the historic farm buildings and the uninterrupted roof.
- 3.3. **One (1)** letter has been received, commenting on the proposed development on the following grounds: reduction in dormers welcomed, should be finished in dark colours and tiles to match in order to be discreet.
- 3.4. **Councillor Mary Mears** supports the proposal. A copy of the support is attached to this report.

## 4. CONSULTATIONS

- 4.1. Heritage - Objection  
20.11.2018

Lanterns contributes positively to the character and appearance of the conservation area. The insertion of two dormer windows into its roof is considered to be clearly harmful to the character of this historic former farm building and its wider group value. The existing long uninterrupted clay tiled roof is a key feature of the building's significance and is a clear reminder of its agricultural origin as part of The Farms character area of Rottingdean. The adjoining and adjacent buildings which make up this former farm complex retain

their similar original roofs uninterrupted. The proposed western-most dormer in particular would be clearly visible from public view (certainly in winter) and from the shared driveway entrance to Lanterns and Challoners. It would be an incongruous feature in the roofscape. The proposal would therefore harm both the appearance and the character of the Rottingdean conservation area and, to a lesser degree, would harm the setting of the listed Challoners and Little Challoners, with which Lanterns likely has a historic relationship.

4.2. The harm is clear but is 'less than substantial' under the terms of the NPPF. There are no heritage benefits that may be weighed against that harm. The Inspector in the recent appeal decision against refusal of three larger dormers concurred with the council's assessment of harm but noted that a revised scheme may cause less harm and that a different balancing judgement may therefore be reached (under paragraph 196 of the revised NPPF). However, it is considered that this proposal would cause only marginally less harm than the appealed scheme and that any dormer windows would cause harm here for the reasons outlined above. Paragraph 193 of the NPPF makes clear that great weight must be given to the conservation of heritage assets "irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

4.3. 07.12.2018

After receipt of this comment additional information was provided in the form of a letter from the Department of the Environment dated 21.03.1989. This stated that the properties of Pineglade and Lanterns had been sufficiently altered from their original form and no longer merited Listed status. With specific reference to Lanterns the letter states the property has renewed brickwork, heightened or re-built eaves, an altered roofline and a chimney.

4.4. 20.12.2018

In response to this additional information Heritage commented as follows.

4.5. It is already known that Lanterns is not a listed building and that it has been much altered from its original agricultural appearance. The fact that it was once Listed but later de-listed is interesting but not relevant to the considerations in this case.

4.6. The building is still within the Rottingdean Conservation Area and contributes positively to the character and appearance of the conservation area. The Heritage comments note that the long, uninterrupted tiled roof is its most significant and visible feature and this is the least altered element of the building. Significant alteration to its roof would harm its character and therefore harm the conservation area.

## **5. RELEVANT 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):

QD14 Extensions and alterations

QD27 Protection of Amenity

HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD12 Design Guide for Extensions and Alterations

## **6. CONSIDERATIONS & ASSESSMENT**

- 6.1. The site is a single dwelling that is part of a complex of converted farm buildings. Located to the North of The Green it is within the Rottingdean Conservation Area and is covered by the Rottingdean Article 4 Direction, which removes many of a single dwellings permitted development rights. The site is adjacent to Grade II Listed properties - Challoners & Little Challoners, and is connected to the Locally Listed property of Court Barn. The proposal is for two dormers to the front elevation and three rooflights to the rear.
- 6.2. This application is the resubmission of a previous scheme (ref BH2018/00602) that proposed three larger dormers to the front roof slope and three rear rooflights. This application was refused as a result of the disruption caused to the front roof slope by the proposed dormers. This decision was appealed and the appeal was dismissed. The Inspector concluded that the dormers did not preserve or enhance the character and appearance of the Rottingdean Conservation Area and as a result of this were contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.
- 6.3. The main considerations in the determination of this application relate to the impact of the proposed development on the appearance and character of the building, the wider streetscene and the amenities of adjacent occupiers.
- 6.4. Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
  - a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
  - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
  - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
  - d) uses materials sympathetic to the parent building.
- 6.5. In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight

factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.

6.6. Policy QD27 of the Brighton & Hove Local Plan states 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.

6.7. Design and Appearance:

The key design issue in this development is the disruption of the roof form by the proposed dormers and its impact on the appearance of the building and wider Rottingdean Conservation Area. The roof form of this building is the most prominent historic feature and a clear reference to its agricultural heritage. This has group value in connection with the other buildings that originally formed the farm complex and have long uninterrupted clay tile roofs.

6.8. The Inspector for the appeal on the previous application indicated that a flexible approach should be taken to development in conservation areas where it maintains the heritage characteristics of a property. The reduced scheme proposed under this application causes less disruption. Notwithstanding this it is still considered to cause harm to the heritage characteristics of the site by disrupting the roof form. This level of harm is considered to be contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One and warrants refusal.

6.9. In regard to the wider Rottingdean Conservation Area the main front roof slope of Lanterns is visible from the street. The level of visibility is affected by the foliage of the deciduous trees on the land between the public highway and the subject property (these are covered by a tree protection order). The Inspector concluded that the dormers on the previous application would not preserve or enhance the character of the conservation area. The dormers proposed on this application, although reduced in number and width, have a broadly similar side profile. As a result of this they have a comparable impact on the appearance of the property when viewed from the public realm. Accordingly they are still not considered to preserve or enhance the character of the conservation area contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

6.10. The proposed rear rooflights are an appropriate scale and positioned away from the ridge and sides of the roof. They do not relate well to the windows below but may look cluttered if they did line up with the existing rear windows. They do not alter the existing roof form and are not highly visible from the public realm. They are not considered to harm the host building or wider Rottingdean Conservation Area in design terms.

6.11. Impact on Neighbouring Amenity

The impact on the adjacent properties at Challoners & Little Challoners has been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm has been identified. The proposed

dormers increase the potential overlooking by raising the vantage point of windows along the South elevation of Lanterns that faces Challoners & Little Challoners. The distance between the proposed dormers and the North boundary of Challoners & Little Challoners is in excess of 19m. This distance is considered to mitigate the potential overlooking to a level insufficient to warrant refusal.

6.12. The impact on the adjacent properties at Pineglade and Court Barn has been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm has been identified.

## **7. EQUALITIES**

7.1. None identified