

<b><u>No:</u></b>	<b>BH2021/03276</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>Flints Ovingdean Road Brighton BN2 7BB</b>		
<b><u>Proposal:</u></b>	<b>Relocation of existing rear porch door, replacement of existing front rooflight with larger rooflight and the replacement of all existing windows with double-glazed windows.</b>		
<b><u>Officer:</u></b>	Liz Arnold, tel: 291709	<b><u>Valid Date:</u></b>	10.09.2021
<b><u>Con Area:</u></b>	Ovingdean	<b><u>Expiry Date:</u></b>	05.11.2021
<b><u>Listed Building Grade:</u></b>	Listed	<b><u>EOT:</u></b>	
	Building Grade II		
<b><u>Agent:</u></b>	Spruce Architecture Glennys Estate Unit E 158 Latimer Road Eastbourne BN22 7ET		
<b><u>Applicant:</u></b>	Emily Summerfield Flints Ovingdean Road Brighton BN2 7BB		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	SP-0220.04	b	3 February 2022
Proposed Drawing	SP-0220.05	b	3 February 2022
Proposed Drawing	SP-0220.06	b	3 February 2022

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. Prior to the replacement of any window hereby approved a Schedule of Existing Windows together with 1:20 elevation and section drawings and 1:1 scale joinery details of the proposed windows must be submitted to and approved in writing by the Local Planning Authority. All replacement windows must be timber framed, painted white, and incorporate slimline double-glazing only.

**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

4. The rooflight 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 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.
5. 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.
6. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.  
**Reason:** To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and SPD11 Nature Conservation and Development.

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. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

## 2. APPLICATION SITE

- 2.1. This property is a grade II listed building within the Ovingdean conservation area. It is listed with The Cot and The Nook (formerly Durrants) as a former farmhouse and a cottage of late 18th century date. It is formed with two storeys, faced in flint with brick dressings, with a roof of clay tiles and scattered fenestration, chiefly segmental-arched.
- 2.2. The irregular form and plan of Flints, The Cot and The Nook reveal the piecemeal development of this group over time. Originally comprising the farmhouse or 'Bailiff's House' to Ovingdean Hall farm, Flints was constructed in c1792 and its is considered to be the most intact of this group, which is set behind grassed front gardens with flint boundary walls onto Ovingdean Road, from where they are prominent.

## 3. RELEVANT HISTORY

- 3.1. **BH2021/03277** (Concurrent listed Building Consent) Relocation of existing rear porch door, replacement of existing front rooflight with larger rooflight, the replacement of all existing windows with double-glazed windows and internal alterations to layout. under consideration.

#### **4. APPLICATION DETAILS**

- 4.1. The applicant seeks planning permission for the relocation of an existing rear porch door, the replacement of the existing front rooflight with a larger rooflight, and replacement windows.
- 4.2. The scheme has been amended during the course of the application following concerns that the proposed dormer windows on the rear elevation would harm the historic character of the building. These elements have now been removed from the proposal.
- 4.3. In addition, the amended drawings now include the replacement of all of the existing windows with double-glazing and as such the application has been subject to further public consultation.

#### **5. CONSULTATIONS**

5.1. **Heritage:**

Initial comments 7.10.2021 Refuse

It has not been demonstrated that the internal alterations would have no harmful impact on the architectural or historic interest of the listed buildings through alterations to plan form, potential loss of historic fabric and impact on historic features. The proposed external alterations would cause clear harm to the significance of the listed building and to the wider roofscape, so clearly harming the character and appearance of the Ovingdean conservation area.

Second comments 11/01- Refuse / Seek Modifications

- 5.2. The newly submitted Heritage Statement Addendum has appropriately assessed the significance of the building and has considered the impact of the works on that significance. The conclusions are largely agreed with. Regrettably, however, the plans for the internal alterations have not been informed by this assessment and have not been amended accordingly. The Heritage Statement addendum makes important recommendations that have not been acted upon. Furthermore the substantial loss of the original masonry wall between rooms G2 and G3 - to create an open plan dining and kitchen area, is considered to be very harmful to the readability of the original plan form and would result in the loss of much historic fabric (with further loss of historic fabric to create an opening from G3 in the garage).
- 5.3. A much smaller opening in the wall may be acceptable, no wider or taller than double doors.

- 5.4. There is no objections to the larger replacement rooflight to the front roof slope, subject to the standard condition on conservation rooflights, and no objection to the alterations to the 20th century rear porch.

Comments on final plans 11/2/2020 Approve with conditions

- 5.5. The amended plans have satisfactorily addressed the previous heritage concerns with regard to the proposed internal alterations and it is now considered that these would conserve the historic fabric and features of the buildings.
- 5.6. The proposals now additionally include for the replacement of all existing windows with double-glazed windows. The existing windows are generally not historic and are largely timber casements that likely date from various periods of the 20th century, although there is a first floor sliding sash window to the front elevation of late Victorian pattern. The front dormer is UPVC. These windows appear to have been in place for at least 30 years, likely longer.
- 5.7. In principle therefore slimline double glazing would be acceptable in this case as the windows are non-historic and the scattered fenestration and non-traditional design creates an opportunity for improvement to the appearance of the building. An approval would therefore need to be subject to a condition requiring schedule of the windows to be replaced and large scale details of the proposed windows.

## **6. REPRESENTATIONS**

- 6.1. None on this application
- 6.2. Letters of objection have been received on the concurrent Listed Building Consent application (ref: BH2021/03276) which is also to go before this Planning Committee.

## **7. RELEVANT POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP15	Heritage
CP10	Biodiversity

Brighton & Hove Local Plan (retained policies March 2016)

HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE4	Reinstatement of original features on listed buildings
HE6	Development within or affecting Conservation Areas
QD14	Extensions and Alterations
QD27	Protection of amenity

Brighton & Hove City Plan Part Two (Proposed Submission October 2020):  
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 relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM20	Protection of Amenity
DM21	Extensions and alterations
DM26	Conservation Areas
DM27	Listed Buildings
DM28	Locally Listed Heritage Assets
DM29	The Setting of Heritage Assets

Supplementary Planning Documents:

SPD09	Architectural Features
SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations

Ovingdean Conservation Area Character Statement

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1. The main issues to consider in assessing this application are the impacts on the character of the area, particularly its heritage features, and the impact on the residential amenity of neighbouring occupiers.
- 8.2. In considering whether to grant planning permission for development which affects a listed building or its setting, 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. Moreover, 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.
- 8.3. 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, and the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".

Impact on Character and Heritage Assets

- 8.4. In order to be considered acceptable, the works should preserve or enhance the historic character of the building and wider area. This is reflected in the adopted policies CP15 of City Plan Part 1, policies HE1 HE3 and HE6 of Brighton and Hove Local Plan and emerging policy DM26 and DM27 of City Plan Part 2, both of which carry significant weight. SPD09 also addresses the importance of architectural features for historic buildings.

- 8.5. The informal group of listed and non-listed historic buildings that originally formed a collection of farm related buildings on the west side of Ovingdean Road remains a coherent and attractive grouping. Steeply pitched, unbroken clay tiled roofs are a distinctive and very positive characteristic of this part of the conservation area, proving clear evidence of the agricultural origins. Whilst they have all been converted to residential use, and there are some rooflights, the characteristic roofscape remains largely unchanged and there is a notable absence of dormer windows.
- 8.6. The scheme has been significantly amended following the concerns relating to the external works proposed. The rear dormers initially proposed have been removed from the application and the front dormer (believed to date from the 1970s) is proposed to remain in situ. The applicant now also submitted a much more comprehensive heritage statement to justify the proposal.
- 8.7. The latest drawings for the site have amended the internal works (which are assessed in the accompanying application for listed building consent), also added to the proposal replacement of all the windows with double glazed units.
- 8.8. Following a comprehensive review of the scheme by the Heritage Team, the proposed development is now considered to be acceptable from a Heritage perspective, subject to recommended conditions.
- 8.9. There is no objection in design terms of the alterations proposed to the 20th century rear porch, namely the re-location of the door from the side elevation to the rear elevation.
- 8.10. No adverse harm to the historic character and appearance of the property would result from a larger replacement rooflight to the front roof slope, although it would be necessary to ensure the installation is conservation style and this can be secured by condition. The alterations to the porch would affect a 20th century addition to the property and would not result in a loss of any historic fabric.
- 8.11. In regard to the replacement windows, the principle of slimline double glazing would be acceptable in this case as the windows are non-historic. The scattered fenestration and non-traditional design would create an opportunity for improvement to the appearance of the building however the full detail has not been submitted as part of the application and further detail would be required by condition.
- 8.12. Overall, it is considered that the proposal would be acceptable in terms of its impact on the host property and the wider area, including the surrounding Ovingdean Conservation Area, and other Listed Buildings/Locally Listed Building located within the vicinity of the site, in accordance with polices set out above.
- Impact on Amenity
- 8.13. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part 2 (which now carries more weight than QD27) state 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.

- 8.14. It is noted that a number of representations have been made on the concurrent application for listed building consent regarding overlooking and a loss of privacy from the proposal. These are not relevant considerations for a Listed Building Consent application, but the points made are taken into account in relation to this planning application.
- 8.15. The dormer windows which were initially proposed have been removed from the application so are no longer relevant. The front rooflight would be enlarged, giving a more 'developed' appearance to the property than is currently the case, however this is not considered that this would cause any overlooking or loss of privacy to neighbouring properties. Rooflights follow the plane of the existing roofslope and therefore views out from the enlarged rooflight would be directed sky-wards.
- 8.16. The relocation of the rear access door presents no issues for residential amenity and the development accords with adopted and emerging local planning policy.

#### Sustainability

- 8.17. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species such as bees.
- 8.18. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development. There is an opportunity for this to be installed as part of the works to the porch which is not a historic part of the building.
- 8.19. There is an assumption that the replacement windows with double glazing would improve the thermal performance of the property.

### **9. EQUALITIES**

None identified.

### **10. BIODIVERSITY AND CLIMATE CHANGE**

- 10.1. The proposed works would modernise and increase the flexibility of an existing property, and would improve its thermal efficiency. The bee brick required by condition would increase biodiversity in the location.

