

<u>No:</u>	BH2021/03277	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	Flints Ovingdean Road Brighton BN2 7BB		
<u>Proposal:</u>	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. (Amended description)		
<u>Officer:</u>	Liz Arnold, tel: 291709	<u>Valid Date:</u>	10.09.2021
<u>Con Area:</u>	Ovingdean	<u>Expiry Date:</u>	05.11.2021
<u>Listed Building Grade:</u>	Listed	<u>EOT:</u>	
	Building Grade II		
<u>Agent:</u>	Spruce Architecture Glennys Estate Unit E 158 Latimer Road Eastbourne BN22 7ET		
<u>Applicant:</u>	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** Listed Building Consent 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
Location and block 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 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.

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. All existing internal doors are to be retained, except where indicated on the drawings hereby approved.
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.

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. 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 'Bailliff'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. **BH2021/03576** Concurrent Planning Application - 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. Under consideration

4. APPLICATION DESCRIPTION

- 4.1. The applicant seeks listed building consent for the relocation of the existing rear porch door, the replacement of the existing front rooflight with larger rooflight, the replacement of all existing windows with double-glazed windows and internal alterations to the layout.
- 4.2. The proposal has been amended during the course of the application following concerns that the proposed dormer windows on the rear elevation, which were initially proposed, would adversely harm the historic character of the building. The dormers have now been removed.
- 4.3. The amended drawings now included the replacement of all of the existing windows with double-glazing and as such the application has been subject to further public consultation.

5. REPRESENTATIONS

- 5.1. **Five (5)** letters of representation have been received objecting to the proposal for the following reasons:
 - Adverse impact on the conservation area
 - Harmful to the historic character of the listed building and the group of buildings
 - Insertion of rear dormers
 - Support the removal of the roof light but not at the cost of inappropriate dormer windows
 - Overlooking
 - Overshadowing
- 5.2. **Ovingdean Residents & Preservation Society** objects to the application for the following reason:
 - Adversely affects Conservation Area
- 5.3. **One (1)** letter of support following re-consultation of the application for the following reason:
 - Good design
 - In keeping with Listed Building, and
 - On the understanding that the proposed dormer windows to the rear of the property have been removed from the plans, and no other roof lights to the rear are proposed, happy to support the proposed plans for the internal changes in the house, and the changes to the rear porch to create new access to the new boot room. I think the changes will allow for a lovely family home without impact on the listing of the building and its importance within the conservation area.

6. CONSULTATIONS

6.1. 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 - Refuse / Seek Modifications

6.2. 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.

6.3. 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). A much smaller opening in the wall may be acceptable, no wider or taller than double doors.

6.4. 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

6.5. 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.

6.6. 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.

6.7. 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.

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 Local Plan 2005 (retained policies March 2016);
 - 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).
- 7.3. 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.

8. 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
HE6	Development within or affecting the setting of conservation areas

Brighton & Hove City Plan Part 2

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 key CPP2 policies considered in determining this application is set out below where applicable.

DM26	Conservation Areas
DM27	Listed Buildings
DM29	The Setting of Heritage Assets

Supplementary Planning Guidance:

SPGBH11	Listed Building Interiors
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Supplementary Planning Documents:

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main issues to consider in assessing this application are the impacts on historic character on the host property and the character of the wider area.
- 9.2. In considering whether to grant listed building consent 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 listed building consent 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.
- 9.3. 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 should be given "considerable importance and weight".
- 9.4. 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. SPD09 addresses the importance of architectural features for historic buildings.
- 9.5. 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.
- 9.6. Added to the proposal in the most recent amendment to the scheme is the replacement of all the windows with double glazed units.
- 9.7. The internal works can be summarised as:
 - Block up existing ground floor dining room entrance from hallway, and remove wall between kitchen and dining area.
 - Knock through from new kitchen area in ground floor into the garage, with new staircase down to garage level. Opening size reduced to 1500mm (double-door size) with down stand from ceiling.
 - Create new ground floor guest WC in existing pantry area.
 - Re-arrange existing first floor partition walls to form new family bathroom and en-suite.
 - Construct new partition wall to centre of first floor master bedroom to form an additional bedroom. New entrance door to be formed where existing cupboard area is in hallway.
 - Existing second floor bathroom extended to allow for shower.
- 9.8. The external works can be summarised as:

- Main entrance door relocated from the side to the rear of the porch.
- Replace existing second floor roof window with larger conservation style roof window, and move to central position.
- Double glazing to replace all single glazed window units

- 9.9. 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
- 9.10. Following a comprehensive review of the scheme by the Heritage Team the development is now considered to be acceptable from a Heritage perspective. 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.
- 9.11. 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.
- 9.12. In regard to the windows replacements, 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.
- 9.13. The amendments to the internal alterations proposed, improve the living spaces for the occupants but still allow for appreciation of the original plan form of the property which is considered significant. The amendments have limited the loss of historical fabric.
- 9.14. It is noted that representation has been made on this application regarding the impacts of the works on the character of the building and wider area. As discussed above, it is considered that the development, as amended, would not adversely harm the listed building or wider conservation Area. Conditions would ensure the detail of the works would be appropriate.
- 9.15. It is also noted that letters of representation made on this application also relate to impact on residential amenity. This is not a material consideration in an application for listed building consent, however, this is fully discussed in the linked application for full planning permission (ref: BH2021/03276) which has been included on this agenda for this reason.

10. CONCLUSION

- 10.1. Subject to the recommended conditions, it is considered that the proposed works would not harm the historic character or appearance of the Grade II listed building or wider conservation area, in accordance with policies HE1, HE4 & HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One, and DM26, DM27 and DM29 of the City Plan Part Two which carry significant weight and are therefore a key material consideration in making a planning decision.