

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 13

Brighton & Hove City Council

**Subject:** Rottingdean Character Statement  
**Date of Meeting:** 26 May 2011  
**Report of:** Strategic Director, Place  
**Contact Officer:** Name: Sanne Roberts Tel: 29-2261  
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**Key Decision:** No  
**Wards Affected:** Rottingdean Coastal

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval of the Rottingdean Conservation Area Character Statement, following a positive public response to consultation. The Character Statement has been welcomed as clearly defining the character and appearance of the conservation area, which needs to be preserved or enhanced. This comprehensive appraisal, as now amended, will provide a sound basis for making development control decisions and may prompt future initiatives to improve the appearance of the area.
- 1.2 A good deal of support was also received to the recommended changes to the conservation area boundary and to the making of an Article 4(1) Direction to control potentially unsympathetic alterations to dwelling houses.

#### 2. RECOMMENDATIONS:

- 2.1 That the Rottingdean Conservation Area Character Statement be adopted, subject to any minor grammatical and non-material alterations agreed with the relevant Cabinet Member.
- 2.2 That an Article 4(1) Direction be made for dwellings in the area under the Town and Country Planning (General Permitted Development) Order 1995, as recommended by the Rottingdean Conservation Area Appraisal and detailed in annex 3.
- 2.3 That the proposed boundary changes, as set out in the Character Statement and illustrated in annex 4, be approved and formally designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Rottingdean conservation area was designated in 1970. Since designation, the conservation area and its boundary have not been reviewed, and no up-to-date character statement therefore exists.

- 3.2 The character statement (as amended following consultation), which is appended at annex 2, is in line with current guidance from English Heritage (2006). It is informed by historic research and on-site analysis. It describes the overall character of the area and notes four distinct character areas. The review suggests a number of amendments to the boundary, in order to better reflect the area of special historic and architectural interest. An Article 4(1) Direction to control incremental alterations to dwelling houses within the area is recommended, noting a threat to traditional architectural features such as timber sliding sash windows. The proposed Article 4(1) Direction is appended in annex 3, and the boundary changes in annex 4.

#### **4. CONSULTATION**

- 4.1 A draft Rottingdean Conservation Area Character Statement was approved for public consultation at the Cabinet Member's meeting on 10 March 2011. Formal public consultation took place between 14 March 2011 and 24 April 2011. Copies of the draft statement were made available on the Council's website, at City Direct Offices and at Rottingdean Library. Local residents, businesses, Ward Councillors, South Downs National Park Authority, Rottingdean Parish Council, Rottingdean Preservation Society and other local and national amenity societies, English Heritage and other key stakeholders were consulted. Posters were displayed in the area, and articles placed in the local newsletters 'Rottingdean Village News' and 'The Deans'. The statement was also reported to the Council's Conservation Advisory Group (CAG).

##### **Summary of Response to Consultation**

- 4.2 In total, 21 responses were received. 12 of these were from individual residents in Rottingdean. Comments were also received from: Rottingdean Parish Council (RPC), Rottingdean Preservation Society (RPS), Councillor Lynda Hyde, East Sussex County Archaeologist, Conservation Advisory Group (CAG), English Heritage, Society for the Protection of Ancient Buildings (SPAB), South Downs Society and Catholic Church of Our Lady of Lourdes.
- 4.3 The responses broadly support the Rottingdean Conservation Area Appraisal and its recommendations, including the proposed boundary amendments and Article 4(1) Direction. The main areas of response concerned (i) the proposed Article 4 Direction, (ii) the proposed boundary changes, (iii) flint walls, and (iv) traffic, and are outlined below and discussed in more detail in Annex 1.
- 4.4 The making of an Article 4 Direction received wide support from the RPS, SPAB, South Downs Society, East Sussex County Archaeologist, CAG, English Heritage and 3 residents, whilst concerns were also raised by 3 residents. It should be noted that a direction would provide the additional control to ensure careful consideration of alterations to historic properties in the area, and it is recommended to progress this proposal.
- 4.5 With regard to the boundary review, the proposed amendments received general support from the RPC, RPS, residents, South Downs Society, East Sussex County Archaeologist, CAG and English Heritage.

- 4.6 No clear consensus was evident for the area on the north side of Nevill Road (Area D). It was acknowledged that this area is heavily altered and retains a poor quality public realm. However, RPC and RPS felt the interest of the site as the former Electric Works, and the interest of numbers 18, 20 and 22 Nevill Road should be recognised, and Councillor Lynda Hyde felt the interest of the sorting office site should be recognised and the site remain within the conservation area.
- 4.7 The site of the former Electric Works and its immediate surroundings are of poor quality and retain no architectural or historic merit. No reasoned case was made for its inclusion. Although the neighbouring flint terrace (numbers 18, 20 and 22 Nevill Road) is of some townscape merit, this would be most appropriately acknowledged through inclusion on the list of buildings of local architectural or historic interest. It is therefore recommended to remove the area of modern development to the north of Nevill Road from the conservation area. The sorting office – formerly Rottingdean National Mixed School – which is surrounded by a historic flint wall, is proposed for retention in the conservation area.
- 4.8 The RC Church of Our Lady of Lourdes objected to the inclusion of the remainder of its grounds (Area B); however it is still deemed appropriate to rationalise the current boundary in this area and to extend protection to the flint wall around the Church's grounds. Indeed, there is significant support from other respondents for the protection of flint walls in the area. The importance of flint walls is acknowledged and has been reflected in the revised text for the character statement. It is recommended the walls are further protected through inclusion on the local list and through designation of the western section of the flint wall to Dean Court Road (which the existing boundary abuts) as part of the conservation area.
- 4.9 There was no local support for the inclusion of Rottingdean Public Hall or West Street, but support for the inclusion of Golden Square (Area E). It is therefore proposed to include Golden Square. The Public Hall and buildings on West Street form an important part of the setting of the conservation area, which is reflected in the revised character statement. It is proposed that they are considered for inclusion on the local list.
- 4.10 In summary, the proposed boundary changes are as follows: The rear spaces and gardens associated with properties on The Green (Area A), the remaining grounds of the RC Church of Our Lady of Lourdes (Area B), Golden Square (Area E) and the western portion of the flint wall on Dean Court Road are recommended for inclusion. A strip of land forming the rear gardens to properties on The Rotyngs (Area B) and an area of poor quality development to the north of Nevill Road (Area D) are proposed for removal.
- 4.11 Traffic was highlighted as having a negative impact on the area. This Statement is not the appropriate place for in depth discussion of traffic issues. The Statement highlights that traffic levels do have a harmful impact on the character of the area, and will note that all future traffic management will need to be sensitively handled.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 Costs associated with the adoption of the Rottingdean Conservation Area Character Statement will comprise staff time and press notices in the Brighton & Hove Leader and London Gazette. These will be met from within the Design and Conservation Team's existing revenue budget.

*Finance Officer Consulted: Karen Brookshaw*

*Date: 10/05/11*

### Legal Implications:

- 5.2 The Council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 from time to time to review its area to determine whether any parts or further parts should be designated as conservation areas. There is no statutory requirement for public consultation prior to designation but it is highly desirable that such consultation should take place. The proposed Article 4(1) Direction would be made under the Town and Country Planning (General Permitted Development) Order (1995) and provides a means through which to fulfil the Council's obligation to preserve and enhance the character and appearance of the conservation area. No adverse human rights implications are considered to arise from the Report.

*Lawyer Consulted:*

*Alison Gatherer*

*Date: 10/05/11*

### Equalities Implications:

- 5.3 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

### Sustainability Implications:

- 5.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy.

### Crime & Disorder Implications:

- 5.5 None have been identified.

### Risk and Opportunity Management Implications:

- 5.6 The failure to maintain the character and appearance of the area and its historic buildings could lead to significant adverse publicity for the Council.

### Corporate / Citywide Implications:

- 5.7 The statement accords with the corporate priority to protect the environment whilst growing the economy. More specifically the guidance is a response to the Council's priority to protect the historic built environment and to secure new uses for redundant historic buildings.

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 None considered.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 Rottingdean Conservation Area does not have an up-to-date, in depth character appraisal. A review of the Conservation Area would accord with the Council's adopted Conservation Strategy (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Statement 5: Planning for the Historic Environment).

7.2 The responses to public consultation are broadly supportive. The recommendation to adopt the Statement and implement its proposals has taken account of the representations received during public consultation and the changes made to the document are a result of those comments. The making of an Article 4(1) Direction will help preserve the character and appearance of the dwellings in the village through controlling incremental change.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Analysis of consultation response
2. Rottingdean Conservation Area Character Statement with proposed amendments highlighted
3. Proposed Article 4(1) Direction
4. Plan showing proposed boundary extensions

### **Documents In Members' Rooms**

None

### **Background Documents**

1. Letters of representation
2. Minutes of the Conservation Advisory Group - 5 April 2011

