



SUPPLEMENTARY PLANNING DOCUMENT (SPD) ARCHITECTURAL FEATURES

STATEMENT OF REPRESENTATIONS

This Statement has been prepared by Brighton & Hove City Council under regulation 18(4) of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

Consultation period and methods

The formal consultation period for the draft Supplementary Planning Document (SPD) on Architectural Features ran from 5 February 2009 to 19 March 2009. A public notice was placed in the Brighton and Hove Leader on 5 February 2009. The draft SPD, the draft Sustainability Appraisal, the Statement of SPD Matters and the Consultation Statement were made available for inspection throughout this period in the council's City Direct offices in Bartholomew Square, Brighton and Hove Town Hall; at Brighton Jubilee Library and Hove Library; and on the council's website.

Copies of the SPD documents were sent to the following specific and general bodies or groups:

SEERA
English Heritage
The Theatres Trust
Rottingdean Parish Council
Brighton & Hove Older Peoples' Council
Brighton & Hove Business Forum
Brighton Society
Regency Society
Kingscliffe Society
North Laine Community Association
Stanmer Preservation Society
Hove Civic Society
West Hill Community Association
Rottingdean Preservation Society
Regency Square Area Society
Brunswick & Adelaide Residents Group
The Round Hill Society
Ovingdean Residents Preservation Society
Preston & Old Patcham Society
The Kemp Town Conservation Society

Montpelier & Clifton Hill Association
Regency Town House
Save Hove
RIBA Sussex Branch
All members of the local Planning Agents'
Forum

Representations received

Representations were received from the following bodies, groups or individuals:

SEERA
English Heritage
The Theatres Trust
Brighton Society
Rottingdean Preservation Society
Kemp Town Society
Montpelier & Clifton Hill Association
Save Hove
Nick Tyson, Regency Town House
DMH Stallard
Miller Bourne Architects
University of Sussex, Estates Department
Colin Bennett
Stuart Derwent

Summary of the main issues raised in these representations

The main issues raised were as follows:

1. The document's function is unclear, whether purely a policy document, a technical handbook or information leaflets.
2. The general principles repeat much national and English Heritage guidance and may therefore not be necessary.
3. Clear formatting with paragraph numbers would help readability.
4. Too much repetition in the document.
5. Would benefit from more detailed illustrations that are locally specific.
6. The text in each section should also be more locally specific.
7. Concerns about the policy on facadism and its reasoning.
8. The term 'historic building' should be defined.
9. The need for planning permission in conservation areas should be clarified.
10. The guidance on reinstatement should be amended to allow for reinstatement of the original appearance, especially in uniform terraces
11. The policy on lime-based render in conservation areas is unduly restrictive and unrealistic.

12. Well designed steel railings should be allowed as cast iron railings are not affordable.
13. There should be a policy of inspection during construction works for property with valuable architectural features.
14. Additional guidance should be produced aimed at owners of historic buildings.
15. Conservation considerations should take precedence over other legislation and requirements that may be harmful to historic buildings.
16. There should be greater explanation of the need for Listed Building Consent.
17. Should include policy guidance on satellite dishes, solar panels, wind turbines and painting.
18. Trickle ventilation should not be necessary in timber sash windows.
19. Brick paving in courtyards should be mentioned.
20. Should include policy on flues, particularly for wood burning stoves.
21. Question the use of the word 'enhancement', as this is a euphemism for extension and change.
22. The word 'must' should replace 'should' in policy guidance wording.
23. The section on Retention of Historic Buildings is ambiguous with regard to the need for consent. Even minor demolition should never be acceptable.
24. Problems of long term stability are structural engineering and survey problems, not planning issues.
25. The Introduction blurs important legal and practical distinctions between buildings in different categories.
26. Concerns about the stringent policy tests on demolition.
27. Statement on sustainability is too simplistic and ignores need to redevelop city at higher density.
28. Stringent tests which would properly apply to listed buildings should not be applied to constrain alterations to unlisted buildings.
29. With regard to windows it is very important that the two subjects of conservation and thermal insulation of the existing housing stock are married up.
30. Confusing and contradictory phraseology and content, misunderstanding of terms and phrases, absence of clarity about materials and methods, omissions and the use or creation of misleading or false hierarchies.
31. The guidance on conservation principles does little to address the important conservation principles that have been acknowledged for the past few decades and that English Heritage's most recent guidance (in 'Conservation Principles, Policies and Guidance') seeks to highlight.
32. There is no mention of the critical need to assess heritage significance before proceeding with works.
33. Various, substantial and detailed comments on traditional materials and methods of repair etc.

How these main issues have been addressed in the SPD

The above-mentioned main issues have been addressed as follows:

1. Change. This has been resolved by producing a slimmed-down 'policy only' document that is aimed at being primarily a planning policy document.
2. Change. This section has been revised to address this and focus more clearly on the local context.
3. Change. Numbering has been introduced.
4. Change. The slimmed-down version of the SPD has removed unnecessary repetition.
5. Change. More local illustrations have been added.
6. Change. The text has been revised to achieve this as far as possible.
7. Change. This paragraph has been deleted as it was not considered to be helpful.
8. Change. A definition has been included.
9. No change. This is not the appropriate document to explain in detail the need for planning permission.
10. No change. The wording of the paragraphs on reinstatement already allows for this.
11. Change. The policy wording has been amended.
12. No change. This requirement applies only to listed buildings and is considered to be necessary.
13. No change. This is not a policy issue.
14. No change but additional publications will be produced in due course aimed at owners of historic buildings.
15. No change. This is outside the remit of local authority policy.
16. Change. The paragraph on the need for Listed Building Consent has been removed as this is already covered in an existing Supplementary Planning Guidance note (SPG) on Listed Buildings.
17. No change. Existing SPGs and a Planning Advice Note (PAN) already exist on these subjects and that guidance does not need to be repeated here.
18. No change. Trickle vents can sometimes be acceptable where concealed. An appropriate compromise with the Building Regulations is necessary wherever possible.
19. Change. Relevant text amended to include reference to brick paving.
20. Part change. This is already covered by the policy on 'Miscellaneous Minor Additions' but further wording has been added.
21. No change. The word 'enhancement' is an established term in conservation legislation and national policy and its meaning is explained in the SPD. Some change can positively enhance a historic building.

22. Change. The wording has been changed and made consistent.
23. Change. This section has been deleted as it simply repeated national policy and existing Local Plan policy.
24. No change. They are material considerations when considering proposals for demolition, partial demolition or major alterations to a historic building and the impact of the works needs to be understood at an early stage.
25. Change. The Introduction has been amended to clarify the distinctions.
26. Change. This section has been deleted as it simply repeated national policy and existing Local Plan policy.
27. No change. This wording is consistent with emerging national policy in the draft Planning Policy Statement 15 and the SPD has been subject to a statutory Sustainability Appraisal. Decisions on which areas of the city may be redeveloped at higher density are a matter for strategic policy in the Core Strategy.
28. No change. The SPD contains separate policies on 'listed buildings' and 'conservation areas' and those on 'conservation areas' are less rigorous, in accordance with national policy on significance.
29. No significant change. The SPD covers already these issues in tandem and strikes an appropriate balance.
30. Partial change. The final SPD is a slimmed-down policy document and has been subject to revision and rewording to ensure clarity and consistency.
31. Partial change. It would not be appropriate to repeat guidance from national or English Heritage documents, but the wording has been revised to ensure consistency with English Heritage guidance.
32. Partial change. The need to assess heritage significance prior to works has been made more explicit.
33. Partial changes. But these largely relate to matters of guidance on materials, repair and restoration and will be addressed in future separate documents where appropriate.

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