

Ditchling Road Pocket Park

Heritage Statement

BH2022/03635 Land At Junction Of Ditchling Road And Prince's Crescent (Outside 1-11 Prince's Crescent)



For The Round Hill Society

March 2023

DOYLE
TOWN PLANNING + URBAN DESIGN

Doyle Town Planning + Urban Design

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1 Introduction and context

Introduction

- 1.1 This short Heritage Statement is submitted in support of a Full Planning Application for the proposed development of a 'Pocket Park'. The Statement has been drafted by Michael Doyle BA (Hons Dip UD, MRTPI. He is a Charter Town Planner, Urban Designer and Affiliate Member of the Institute of Historic Building Conservation. He was formerly Head of Conservation and Design and the London Borough of Hackney.

Proposed development

- 1.2 The proposed development briefly comprises a pocket park public garden with moveable wooden planters.

The need for an assessment

- 1.3 Paragraph 194 of the National Planning Policy Framework (NPPF) states:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."

- 1.4 The Case Officer requires the submission of a Heritage Statement in relation to the suitability and impacts of the planters on the Conservation Area.¹

- 1.5 This short Heritage Statement assesses the significance of heritage assets in or near the Site that might be affected by the scheme proposals.

Scope

- 1.6 The scope and level of detail are considered proportionate.

- 1.7 Paragraph 194 of the NPPF) states:

"The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...._"

¹ Case Officer correspondence - Steven Dover 12 Jan 2023.

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Site and setting

- 2.1 Ditchling Road is a main radial route extending from the city centre and rising towards the South Downs. The road climbs steeply from the Level to the top of the Round Hill, levelling adjacent to the Site.
- 2.2 The lower stretch of Ditchling Road is lined with 19th C. detached and semi-detached villas.
- 2.3 Development along this stretch of the Ditchling Road comprises mainly two and three-storey terraced houses with short front gardens, some of which have been converted into shops. The surrounding area is characterised by primarily mid to late 19th-century purpose-built terraced houses and commercial buildings.
- 2.4 The Site comprises a broadly triangular area of pavement extending to 220 sq m on the east side of Ditchling Road between Prince's Crescent and Round Hill Road.
- 2.5 The pavement originally ran parallel to property boundaries. The original kerb stones remain in place. At some point in the 20th century, the pavement was widened and the kerbs realigned. This narrowed the Ditchling Road and pinched the entrance to Prince's Crescent.
- 2.6 At some point, environmental improvements comprised tree planting, bollards, textured safety paving and raised speed tables paved in concrete setts or stone. This scheme is now somewhat degraded. Trees have been felled or removed; paving has been poorly reinstated after street works; and the tarmac surfaces include various patch repairs in contrasting tones.
- 2.7 The quality and appearance are further eroded by unauthorised pavement parking, which the street bollards fail to prevent, and some of the street bollards themselves have sustained damage from pavement traffic.
- 2.8 The site's environmental quality clearly detracts from the character and appearance of the conservation area, which amounts to minor or negligible/negative harm to the significance.
- 2.9 The Site today represents an opportunity for enhancement of the conservation area.



Figure 1. View of the Site from Ditchling Road



Figure 2. View of the Site from the junction with Round Hill Road

3 Defining heritage assets

- 3.1 The NPPF defines a “heritage asset” as:

“A building, monument, site place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest”.

- 3.2 The definition includes ‘designated’ heritage assets (of which Listed Buildings and Conservation Areas are relevant here) and ‘non-designated’ assets identified by the local planning authority (including local listing).
- 3.3 In line with Paragraph 194 of the NPPF, the significance of the potentially affected heritage assets is outlined in this Heritage Statement, including any contribution made by setting to the significance of the identified heritage assets.

Identifying Heritage Assets

Listed buildings

- 3.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“PLBCAA”) provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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.
- 3.5 No nationally listed buildings are within 100m (see Figure 3). The application site does not include or form the setting of any listed building or historic park, or garden.
- 3.6 The nearest listed buildings (some 350-400m away) are the residential terraces of Roundhill Crescent to the south east (List Entry Nos. 1380833, 1380834 and 1380835) and the Jewish Cemetery Chapel (or ‘Ohel’), entrance gates and lamp post in Florence Place (List Entry Nos. 1380504, 1380506 and 1380505).

Conservation Areas

- 3.7 The Application Property is located within the Round Hill Conservation Area, a Designated Heritage Asset. The impact of the proposals on the character and appearance of the area and its setting falls to be assessed.
- 3.8 The Preston Park Conservation Area extends to the corner of Springfield Road and Ditchling Road, including the railway cutting, platforms and station to the east of Ditchling Road. The application boundary is some 100m from the conservation area and does not form any part of its setting. The impact of the proposals on the character and appearance of the setting of the Preston Park Conservation area does not need to be assessed.

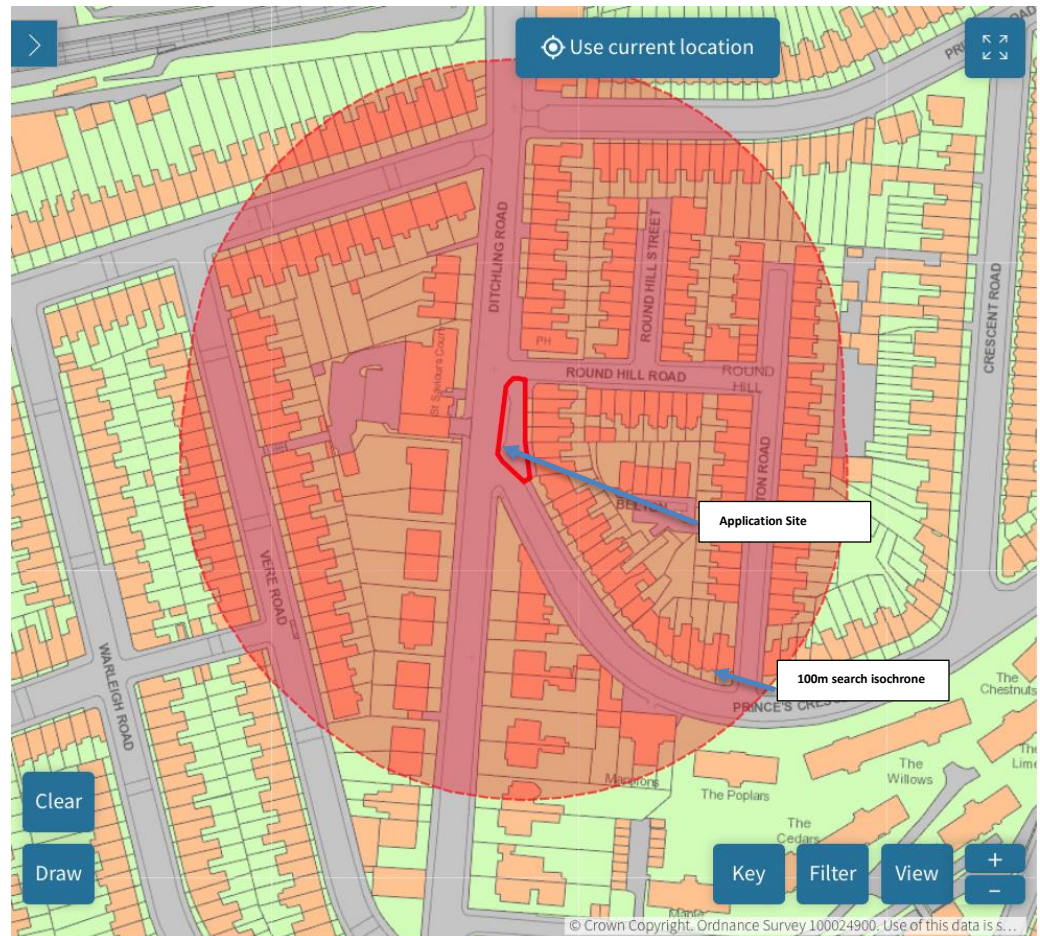


Figure 3. Results of online search of the national list of heritage assets (no results within 100m of the site).

Local List

- 3.9 Two nearby streetlamps, one in Prince's Crescent and one in Round Hill Road, are included in Brighton and Hove's Local List. The lamp posts do not form the immediate site setting, although they are visible from the edges of the site. The impact of the proposals on the setting of the two non-designated assets fall to be assessed.

Archaeology

- 3.10 There are no Archaeological Notification Areas in or near the site.² The nearest areas are at the junction of Round Hill Crescent with Upper Lewes Road (Archaeological Notification Area: DES9050) and the Jewish Cemetery in Florence Place (Archaeological Notification Area: DES13468).

Conclusions

- 3.11 One Designated Heritage Asset and two Non-Designated Assets could potentially be affected by the proposals and should therefore be assessed.

² <https://escr.maps.arcgis.com/apps/webappviewer/>

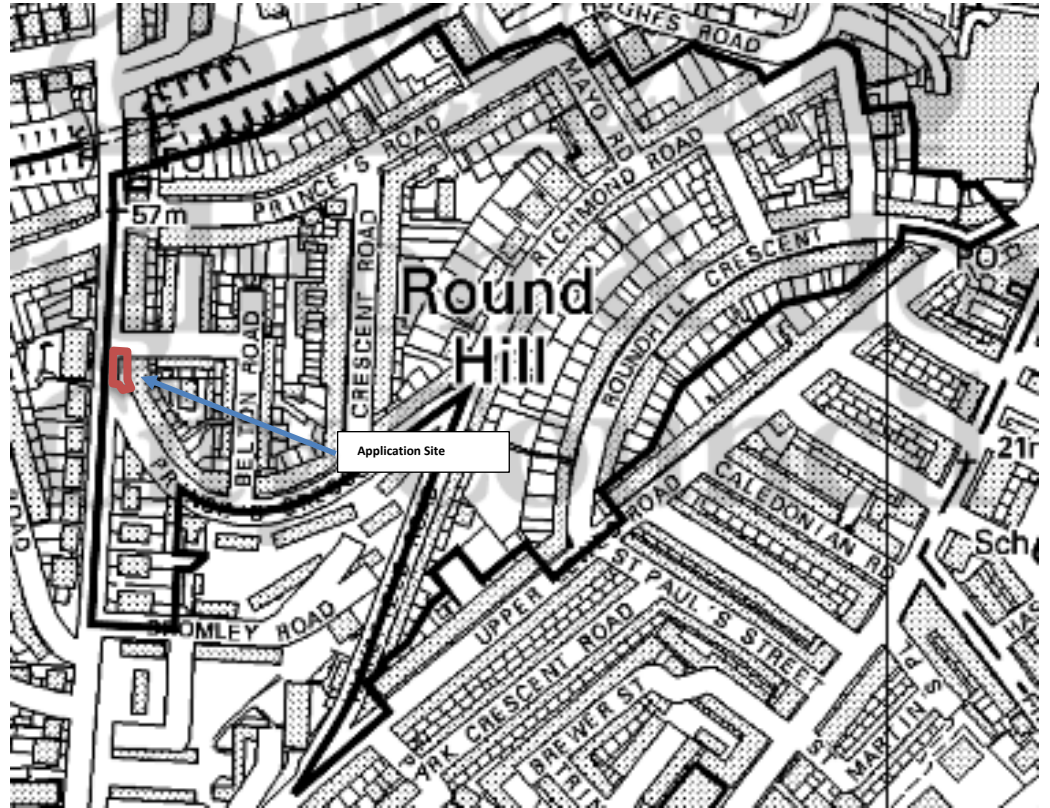


Figure 4 Round Hill Conservation Area Boundary

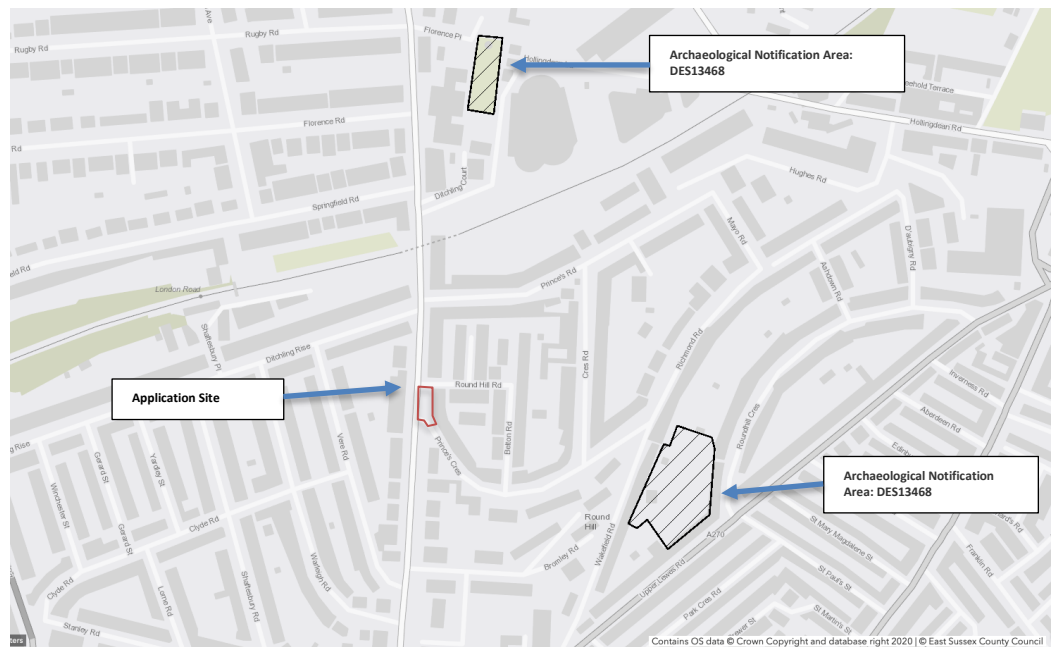


Figure 5 Archaeological Notification Areas of Sussex (<https://esc.maps.arcgis.com>)

Conservation Area

Round Hill Conservation Area

- 4.1 The application Site lies within the Round Hill Conservation area.

Law

- 4.2 Section 72(1) of the PLBCAA provides that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of (amongst others) the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 4.3 The South Lakeland District Council v Secretary of State for the Environment case and the Barnwell Manor case (East Northamptonshire DC v SSCLG) establish that “preserving” in both s.66 and s.72 means “*doing no harm*”.

NPPF

- 4.4 The NPPF (para 200) requires that any harm to the significance of a designated heritage asset should require clear and convincing justification. Para 202 continues that “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal*”.
- 4.5 The policies of the NPPF only recognise two categories of harm to designated heritage assets:
- Substantial Harm: the PPG on Historic Environment July 2019 (CD7.37) para 0183 advises that “in general terms, substantial harm is a high test, so it may not arise in many cases. The harm may arise from works to the asset or from development within its setting”.
 - Less than Substantial Harm: this covers all other harm. The PPG (CD7.37), para 018, explains that “within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated”.
- 4.6 In the NPPF, the policy tests for Substantial Harm are the same as for total loss of significance of an asset (Para 201). This underscores that Substantial Harm is a high test and is, therefore, unlikely to be met purely on the grounds of setting.
- 4.7 As established by caselaw in R. (on the application of James Hall and Co Ltd) v City of Bradford MDC (Case No: CO/1863/2019), there is no further categorisation below Less than Substantial Harm. In this case, the nature of “*negligible harm*” was debated. In her findings, Judge Belcher stated:

³ Paragraph: 018 Reference ID: 18a-018-20190723

“There is no intermediate bracket at the bottom end of the less than substantial category of harm for something which is limited, or even negligible, but nevertheless has a harmful impact. The fact that the harm may be limited or negligible will plainly go to the weight to be given to it as recognised in Paragraph 193 NPPF. However, in my judgment, minimal harm must fall to be considered within the category of less than substantial harm.”

- 4.8 It follows from this that while an instance of what might be termed “negligible” harm may require only the slightest degree of public benefit to balance it, a balance is still needed. It also follows that multiple instances of less than substantial harm might, in the aggregate, require greater benefits to balance them. Despite the meaning of the word *negligible*, instances of such a low degree of less than substantial harm cannot be ignored.

Local Plan

- 4.9 The City Plan Part Two was adopted on 20 October 2022.

DM26 Conservation Areas

“Development proposals within conservation areas, including alterations, change of use, demolition and new buildings, will be permitted where they preserve or enhance the distinctive character and appearance of that conservation area, taking full account of the appraisal set out in the relevant character statement. Particular regard will be had to:

- a) The urban grain and/or historic development pattern of the area, including plot sizes, topography, open space and landscape.*
- b) The typical building forms and building lines of the area, including scale, rhythm and proportion.*
- c) The cohesiveness or diversity of an area.*
- d) The retention of buildings, structures and architectural features that contribute positively to the identified character and appearance of the area.*
- e) The preservation or enhancement of key views.*
- f) The primary importance of street elevations (or other publicly visible elevations) and the roofscape.*
- g) The importance of hard boundary treatments and the distinction between public and private realm.*
- h) The retention of trees and gardens where these are integral to the significance of the area.*
- i) The use of building materials and finishes that respect the area.*
- j) The retention of historic street furniture.*

Where either substantial harm or less than substantial harm is identified, the council will expect the applicant to fully meet the requirements set out in the NPPF, having regard to the significance of the conservation area/s affected.

The council will give particular consideration to the retention of a mix of uses in areas where such a mix contributes positively to the character and appearance of the area, including any cumulative impacts.

New development within a conservation area should be of the highest design quality and should take the opportunity to enhance the special interest of the area wherever possible, having regard to any adopted management plan.”

DM29 The Setting of Heritage Assets

“Development within the setting of a heritage asset will be permitted where its impact would not harm the contribution that setting makes to the asset’s significance, by virtue of the development’s siting, footprint, density, scale, massing, design, materials, landscaping or use.

In assessing the contribution that setting makes to significance, and the impact of a development on that setting, the council will have particular regard to the following considerations:

- a) The physical surroundings of the asset, including topography and townscape;*
- b) The asset’s relationship with the Downland landscape, the sea or seafront and with other heritage assets;*
- c) The asset’s historic or cultural associations with its surroundings, including patterns of development and use;*
- d) The importance of any sense of enclosure, seclusion, remoteness or tranquillity;*
- e) The way in which views from, towards, through and across the asset allow its significance to be appreciated;*
- f) Whether the asset is visually dominant and any role it plays as a focal point or landmark; and*
- g) Whether the setting was designed or has informally occurred over time, including the degree of change to the setting that has taken place.*

Where either substantial harm or less than substantial harm is identified the council will expect the applicant to fully meet the requirements set out in the NPPF, having regard to the significance of the heritage asset/s affected.

Opportunities should be taken to enhance the setting of a heritage asset through new development. Where a major development impacts on the settings of multiple heritage assets, the scale of impact should be assessed against the importance of the heritage asset and the degree to which setting contributes to its significance.”

Historic England Guidance

- 4.10 Historic England has provided guidance on the management of significance in decision-making (GPA2) and the setting of heritage assets (GPA3). These are all intended to assist the decision-making of those working with heritage assets, particularly through the planning process. Additional advice on how to prepare a Statement of Significance is provided in an advice note (HEAN12).
- 4.11 GPA2 recognises that not all the stages will be relevant for each case:
 - Understand the significance of the affected assets.
 - Understand the impact of the proposal on that significance.
 - Avoid, minimise and mitigate the impact in a way that meets the objectives of the NPPF.

- Justify any harmful impacts in terms of the sustainable development objective of conserving significance and the need for change.

Round Hill Conservation Area

- 4.12 The Round Hill Conservation Area is situated on a south-eastern slope of the Downs in a residential area north of Brighton city centre.
- 4.13 The area was designated in January 1977.
- 4.14 The Upper Lewes Road bounds the area to the south-east, a modern estate of flats to the south, the Ditchling Road to the west, and the railway line and industrial estate to the north.
- 4.15 The mainly late 19th Century buildings are terraced with continuous frontages, of which the buildings in Round Hill Crescent, some of which are listed, are the most important architecturally.
- 4.16 An article 4 direction was made across the area, removing permitted development rights for various alterations to front elevation and roofs.
- 4.17 The area is flanked by, but not directly adjoining, other conservation areas (Preston Park and Valley Gardens).

Character Statement

- 4.18 A Character Statement was adopted on 20 October 2005.
- 4.19 The Statement notes the Conservation Area is mainly in residential use. The few exceptions include the Round Hill public house and commercial properties along Ditchling Road, including some small local shops.
- 4.20 The Statement notes that Ditchling Road *“is especially busy when local schools close at the afternoon’s end. Parked cars ‘dominate’ the residential streets within the conservation area.*
- 4.21 The front gardens to nos. 68-82 Ditchling Road (to the south of the application site) and by the junction with Prince’s Crescent contain three important mature trees which, with other street trees along Ditchling Road, provide a more sylvan setting for the Victorian buildings.
- 4.22 The Character Statement notes that many of the pavements in the conservation area were initially covered with stone flags. The gutters were marked out with granite and limestone setts, with the kerbs made from large pieces of dressed granite and diorite. Many of these kerbs, gutters, and several brick and limestone pavement crossings remain, although the stone flags have been replaced with concrete or tarmacadam.

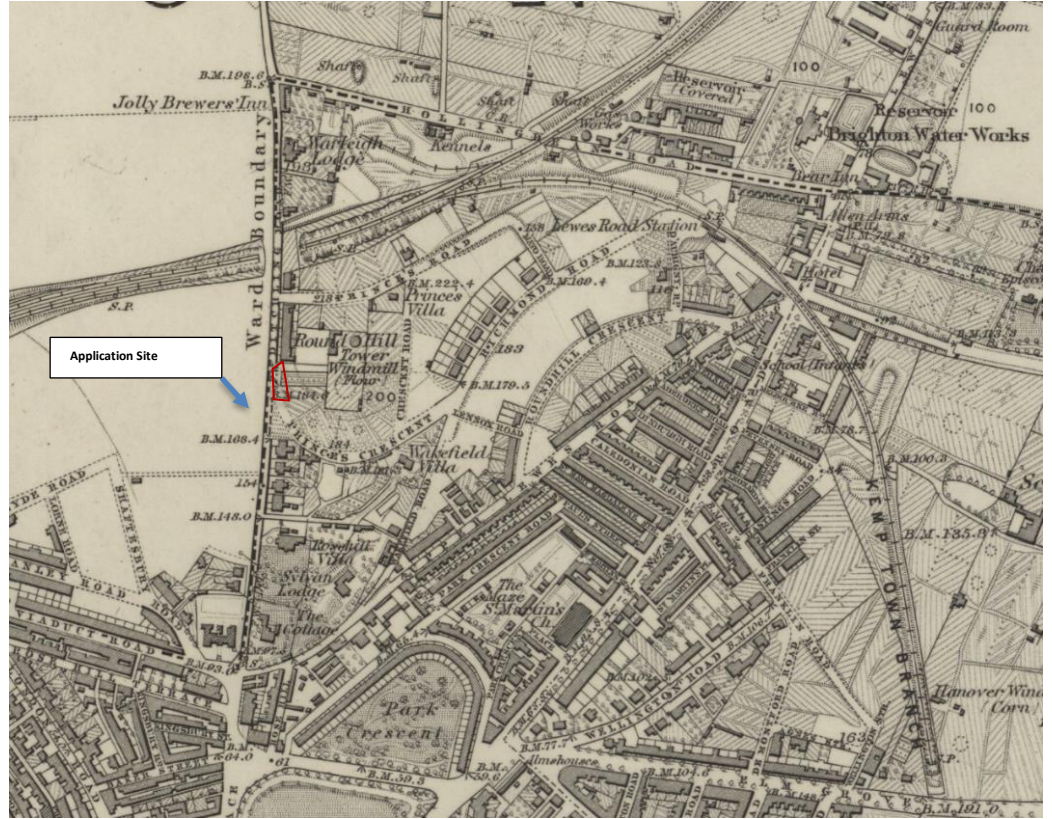


Figure 6 OS Six Inch England and Wales 1842-52 (Credit: Library of Scotland)

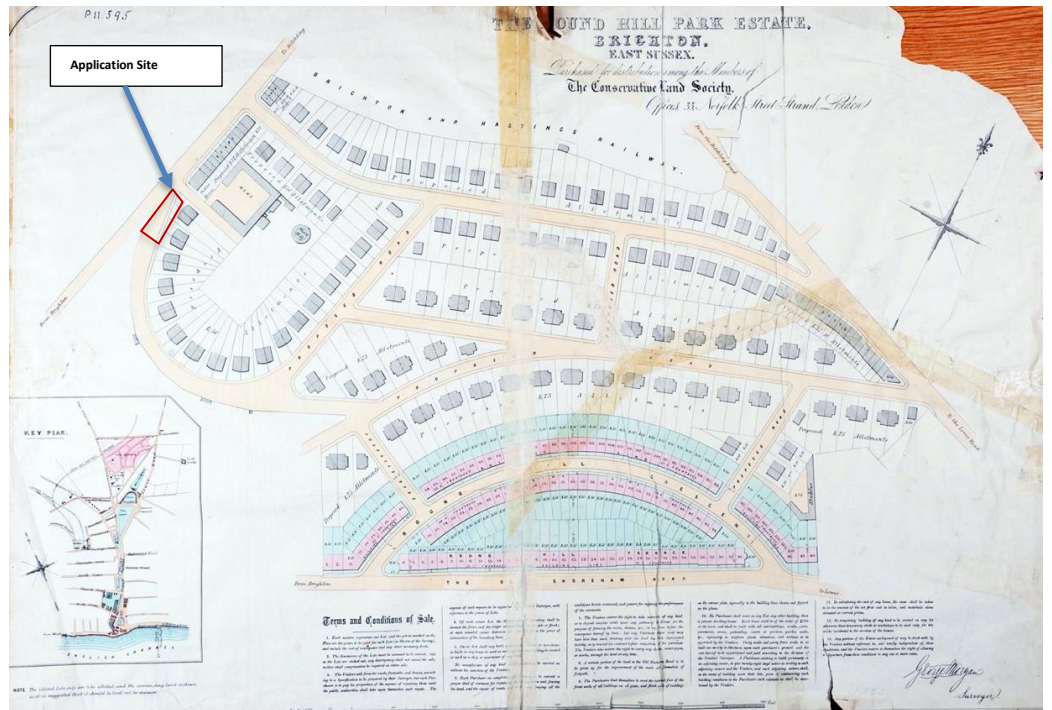


Figure 7. Round Hill Park Estate plan of 1853 (Credit: Regency Society)



Figure 8 Timber former tram shelter to the north of the Site (Credit: Regency Society)

Buildings

- 4.23 The Statement describes the Ditchling Road as:

“A busy thoroughfare, Ditchling Road leads north out of the town centre with trees on either side of the road and impressive views southwards to the sea.”

- 4.24 Dwellings to the south of the application site are described as follows:

“Nos. 68-82 Ditchling Road consist of four pairs of villas of c.1850, on two floors with sash windows and shallow pitched roofs sitting on bracketed eaves. Most of them have their original verandas with elegant, curved roofs facing the road. The houses are set back from the road, with a variety of front boundaries in flint, brick or render, and have attractive front gardens containing many trees.”

The terraced dwellings to the immediate east of the application site are described as follows:

“Further along the road are later terraced houses some of which are in commercial use. Nos. 84, 86 and 88 date to the 1870s and form a terrace with rendered fronts which continue the building line of the villas adjacent and therefore also have pleasant front gardens and some flint walling. At the end of Prince's Crescent, where it joins Ditchling Road, are two further groups of terraced houses, mostly in residential use but with a few ground floor shops including a hairdressers, a pub, and an antique shop. These buildings are two or three storeys high, rendered and painted, some with canted bays to the ground or ground and first floors. Regrettably, many of the windows have been altered, and some shops are empty.”

Urban Characterisation Study

4.25 The Brighton & Hove Urban Characterisation Study (2009) is described as a comprehensive study of the characteristics of different neighbourhoods across the City produced to inform future planning policies and assist with planning decision-making.

4.26 The Study describes the development of the Round Hill area (an area extending wider than the conservation area) as follows:

“Before the 1860s the neighbourhood was sparsely populated but developed rapidly during the second half of the 19th century. Roundhill Crescent and Richmond Road were developed from the 1860s as middle-class housing. Some examples are now listed buildings. With the building of the Southern and Kemp Town railways, mid-Victorian suburbs began to grow up around the London Road and Lewes Road stations. The size and scale of the houses varies from street to street. A prime location was in and around Rose Hill Park. This open space offered impressive views over the city towards the sea with St. Peter’s church as an important landmark. Rose Hill Park now accommodates blocks of moderately sized flats.”

4.27 The Study notes:

“There is no public open space within the neighbourhood itself”. And:

“There are some interesting details within the public realm such as elevated pavements and period railings. However, there are many different paving surfaces, trees fight for space within the street and pavement and there is unnecessary signage that clutters the street scene.”

Impact of the proposals on the conservation area

4.28 The proposals will offer a minor enhancement of the conservation area that will partly offset the harm to the conservation area of the site's current condition.

4.29 Less tangible but meaningful, the planting will give the impression of a place that is cared for and create an appropriate gateway into the conservation area.

4.30 The proposed planters' low height and modest scale have sought to minimise visual impacts. The proposed timber planters will not rise above 0.7m and cannot be described as prominent or intrusive by virtue of scale or height. Their contribution to the street environment and townscape setting will be limited to the immediate surroundings.

4.31 Properly maintained, the planting within the planters will be the visually dominant feature, mainly because the planting schedule indicates that there will be variety and year-round colour.

4.32 The Round Hill Society has an established track record in managing the implementation and maintenance of street planters. This is likely to deter anti-social behaviour, graffiti, etc.

4.33 The scheme will use sympathetic contemporary materials of timber that would sit comfortably within the conservation area. The use of wood is appropriate with a link to the historic timber tram shelters that line Ditchling Road- evoking the journey from the city into the Downland.

- 4.34 The area's surviving historic street paving materials, including stone kerbs and gutter stones, will be retained.
- 4.35 The mature trees will be retained.
- 4.36 There will be no harm to the significance of the conservation area. Therefore, the proposal meets the policy tests in Local Plan Policies DM26 (Conservation Areas) and DM29 (The Setting of Heritage Assets).
- 4.37 The scheme would preserve the character and appearance of the Round Hill Conservation Area. The proposals would therefore accord with Section 72 of the Act.
- 4.38 The Site and area could be further enhanced, although that is not to withhold or delay support for the current proposals.
- 4.39 The current proposals offer immediate enhancements and will be complementary to potential further enhancements that include:
- Granite kerbs (300mm wide)
 - Lighting columns to an appropriate historic design
 - Replacement of the partly felled tree trunk (after cutting down to ground level and allowed to rot down)
 - Replacement of tarmac surfaces with paving
 - Encouraging residents to store bins within their properties (where space allows).



Figure 9. Unauthorised parking blights the space.



Figure 10. The proposed planters follow a series of planters installed throughout the conservation area that the community has carefully maintained

Local list

Local Plan

- 5.1 Local Plan Part 2 Policy DM28 Locally Listed Heritage Assets states:

“The council will strongly encourage the retention of locally listed heritage assets and their continued use. Applications for demolition or substantial alteration (including any loss of key components) should demonstrate that the potential for retention and reuse of the asset has been explored, in order to enable an informed and balanced judgement to be made.

Alterations and extensions to a locally listed heritage asset, or new development within its curtilage, should be of a high standard of design that respects the special interest of the asset as set out in the Local List entry (or as otherwise identified within a submitted Statement of Heritage Significance).

Other potential non-designated heritage assets may on occasion be identified as part of the pre-application process, particularly where they occupy sites or locations that are not readily visible from a public viewpoint. Where they possess a sufficient degree of significance, they will be subject to this policy. In all such cases that significance will be assessed against the selection criteria set out in The Local List of Heritage Assets (PAN07).”

Assets

Lamp Posts LLHA 0255

- 5.2 The Council undertook a Historic Building Thematic survey of Street Lighting (reference LLHA0255).
- 5.3 The survey identifies five main types of historic map posts across the City, plus some rarer types. Four types are identified in the conservation area:
- Column type 1 - Octagonal, panelled socle serves as a base for octagonal tapering shaft, panelled to match the base, simple coved capital. Only found in Brighton. Moulding detail varies. Some have a nameplate from a Brighton foundry.
 - Column type 2 - Square plinth chamfered to an octagon with ribbed surface decoration, slender tapering shaft of clustered columns, calyx or bell capital. Manufactured by J Every of Lewes. Mostly found in Hove.
 - Column type 3 - Cylindrical socle with lockable compartment, often marked BLEECO but sometimes with the Brighton Borough crest; fluted, tapering shaft topped basket capital. Found in Brighton and Hove. Designed by BLEECO. Often manufactured by J Every of Lewes
 - Column type 4 - Straight-sided post cast as fluted and tapering Tuscan column rising from a cylindrical impost block, single maintenance arm topped by a plain cylindrical impost. Only found in Brighton.

Local Listed

- 5.4 The Council developed three criteria for local listing historic map posts

- Rare cast iron column patterns in conservation areas are not one of the main types unless it appears that they are examples of historicist replacements
- Surviving examples of type 1, type 4, type 5, and type 6 columns in conservation areas- where known and identified.
- Groups or rows of type 2 and type 3 columns - where located in formal streets, squares, crescents or terraces of listed buildings - or where associated with a notable listed building or historic open space.

5.5 Based on the criteria, the Council added 21 lamp posts to the local list.

Assessment

5.6 There are five locally listed map posts on streets leading to or from the Application Site:

- Round Hill Road, Brighton: A Type 1 column.
- Prince's Crescent, Brighton: Four Type 1 columns.

5.7 Of these five, only two are visible from or can be viewed in the context of the Application Site.

5.8 The proposed development is not close to the two lamp posts. The development will not affect the immediate setting because of the distance and modest scale of the proposed planters.

5.9 There would be no harm to the significance (including setting) of the non-designated heritage assets; therefore, the proposal meets the policy test in Local DM28 (Locally Listed Heritage Assets).



Figure 11. Type 1 lamp post in Prince's Crescent. The Application Site can be glimpsed at the end of the road and on the right.



Figure 11. Type 1 lamp post in Round Hill Road. The Application Site can be glimpsed at the end of the road and on the left.

Conclusions

6.1 Paragraphs 192 of the NPPF provide as follows:

“192. In determining planning applications, local planning authorities should take account of:

a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b. the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality; and

c. the desirability of new development making a positive contribution to local character and distinctiveness.”

6.2 The impact of the development on the Round Hill Area has been assessed, and the results are described in this report and summarised below.

6.3 The proposals offer a modest enhancement of the character and appearance of the Round Hill Conservation Area.

6.4 The scheme proposals, whilst modest in scale and scope, will positively contribute to local character and distinctiveness and will not harm the setting or erode the significance of heritage assets.

6.5 The Site and area could be further enhanced, but that is no reason not to support the current proposals. They offer immediate enhancements whilst further enhancements are considered.

6.6 The proposals will not affect or harm the setting of locally listed lamp posts on Belton Road and Prince’s Crescent.

6.7 No harm would be caused to any of the identified heritage assets because of the development. Consequently, there is no need to weigh harm against public benefit in terms of paragraphs 201 and 202 of the NPPF.

6.8 The proposals, therefore, comply with the NPPF, Local Plan Policies DM26 (Conservation Areas), DM29 (The Setting of Heritage Assets) and DM28 (Locally Listed Heritage Assets).

1.1.1 This Appraisal draws upon the following sources and analyses:

Round Hill Conservation Area Character Statement adopted 20 October 2005.

Urban Characterisation Study on the Roundhill neighbourhood (B&HCC).

Sylvan Hall Estate website (<https://sylvanvoice.org/2016/07/24/sylvan-hall/>)

100 M HISTORIC ENGLAND SEARCH.

Local List of Heritage Assets (<https://www.brighton-hove.gov.uk/planning/heritage/local-list-heritage-assets>)

Letterboxes

Lamp posts

The Round Hill Society Web Site (<https://roundhill.org.uk/main?sec=history&p=History>)

The Round Hill Reporter (particularly articles by Andrew Partington, Pam Blackman, Jenn Price, and Chris Tullet).

Rose Hill to Roundhill: a Brighton Community ISBN 1-90 1454-08-8

East Sussex Historic Environment Record (<https://www.heritagegateway.org.uk>).

Brighton History (<http://www.brightonhistory.org.uk>)

The James Gray Collection- Photographic Archive of the Regency Society (<http://www.regencysociety-jamesgray.com>) Volume 20:Ditchling Road The Level, Sylvan Hall, Hollingdean Estate, Preston Drive, Balfour Road.

East Sussex Historic Environment Record (<https://www.heritagegateway.org.uk>).

Archaeological Notification Area Maps (ANAs) Archaeological Notification Areas for East Sussex and Brighton & Hove.