

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition of a
Listed Building

REF NO: AL/120/17/L

LOCATION: The Lodge
Aldingbourne Drive
Aldingbourne
PO18 0LQ

PROPOSAL: Application for Listed Building Consent to replace existing windows with new to match

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The new timber frames with metal windows - all painted white..
SITE AREA	0.09 hectares.
SITE CHARACTERISTICS	The site is occupied by a detached Grade II Listed bungalow with flint elevation walls and a tiled double gable roof. There is an enclosed porch over the front door, a detached pre-fabricated garage & outbuilding and a conservatory on the northern elevation.
CHARACTER OF LOCALITY	Predominantly rural. The site is located in an isolated spot on a rural lane that is surrounded by open fields with Aldingbourne House to the north. The A27 passes closely by to the south.

RELEVANT SITE HISTORY

AL/19/17/L	Application for Listed Building Consent to replace existing timber windows with new timber single glazed casements.	Refused 22-05-17
AL/91/16/L	Application for listed building consent to replace all of the existing timber windows with new timber double glazed casements.	Refused 09-01-17
AL/37/08/L	Application for listed building consent to board loft space, install light & folding loft ladder	ApproveConditionally 20-06-08
AL/105/03/L	Application for Listed Building Consent for addition of conservatory (timber built) to rear face to be used as	ApproveConditionally 12-12-03

conservatory/ porch only

AL/84/96/L	Application for Listed Building Consent for new boiler flue through kitchen wall and siting of 60cm satellite dish in roof valley.	ApproveConditionally 08-01-97
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AL/47/95/L	Application for Listed Building Consent for alterations to the lodge and outbuilding.	ApproveConditionally 26-10-95
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The previous two applications for replacement windows were refused .

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Conservation Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC CONSERVATION/DESIGN OFFICER:

The submitted plans for this proposal are considered acceptable and there are no objections.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Grade II Listed Building;
Outside the Built Up Area Boundary;
Class A Trunk Road nearby; and
Special Control of Adverts.

DEVELOPMENT PLAN POLICESPublication Version of the Local Plan (October 2014):

HER DM1 Listed Buildings

Aldingbourne Neighbourhood Plan 2016 POLICY

New housing or altering dwellings

H1

Quality of Design

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

None of the Aldingbourne NDP policies are relevant to the application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, 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."

The proposal is considered to comply with the above as the proposed windows are suitable replacements in the Listed Building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The application concerns the alteration of a Grade II Listed Building outside of the built up area boundary. Given the building's Listed status, any alterations should protect and enhance the special historic and architectural character of the building, and preserve its setting.

NATIONAL PLANNING POLICY FRAMEWORK:

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Paragraph 133 adds that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss.

APPRAISAL:

The Councils Conservation/Design Officer has appraised the application and considers that the proposed windows are acceptable in the Listed Building.

SUMMARY:

The Councils Conservation Officer accepts the suitability of the proposal and as such, the application is recommended for approval as it complies with policy.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may

arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:-

103 rev B, 104 rev B, 105 rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 of the emerging Arun District Local Plan.

- 3 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with policy HER DM1 of the emerging Arun District Local Plan.

- 4 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with the National Planning Policy Framework.