

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition**REF NO:** AL/40/17/L**LOCATION:** 17 Aldingbourne House
Aldingbourne Drive
Aldingbourne**PROPOSAL:** Application for Listed Building Consent to remove existing sash window on ground floor & remove wall below existing opening & fit new hardwood bespoke door with matching glazing bars existing windows.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Aldingbourne House is a late 18th/early 19th century Grade II listed building with later additions to the north, set in large grounds.
CHARACTER OF LOCALITY	Rural.

RELEVANT SITE HISTORY

AL/30/93/L	Application for Listed Building Consent-North West Wing- Change of use, partial demolition, alterations, additions and conversion to form 8 self-contained flats together with garages and parking.	ApproveConditionally 14-07-1993
AL/32/93/L	Application for Listed Building Consent for - Aldingbourne House - Change of use, partial demolition, conversion of main house into 10 self-contained flats together with garages and parking.	ApproveConditionally 14-07-1993
AL/28/93/L	Application for Listed Building Consent for - Coach House- Conversion of existing building into 3 self-contained dwellings together with garages and parking. Demolition of existing outbuilding.	ApproveConditionally 14-07-1993
AL/26/93/L	Application for Listed Building Consent -The Orangery- Change of Use,conversion of existing building into single dwelling, the demolition of adjacent buildings together with garages and parking.	ApproveConditionally 14-07-1993
AL/24/93/L	Application for Listed Building Consent - Jubilee House- Conversion of existing	ApproveConditionally 14-07-1993

building into 4 self-contained flats together with garages and parking.

AL/22/93/L	Application for Listed Building Consent - Junior House - Conversion of existing building into dwelling unit together with garages and parking. Demolition of outbuildings and greenhouses.	ApproveConditionally 14-07-1993
AL/39/94/L	Application for Listed Building Consent for change of use of north west wing from 2 flats to form one 2 storey dwelling (maisonette).	ApproveConditionally 29-06-1994
AL/90/99/L	Application for Listed Building Consent for addition of 3 roof windows	Inc Docs Ret'nd 03-02-2000
AL/59/01/L	Application for Listed Building Consent for reinstating external chimney stack	ApproveConditionally 07-09-2001
AL/68/08/L	Application for Listed Building Consent to replace three external front doors and frames with stained oak front doors and frames to match entrance front door.	ApproveConditionally 29-09-2008
AL/101/10/L	Application for listed building consent to modify existing opening & insert timber framed french doors	ApproveConditionally 29-10-2010
AL/100/10/	Modify existing opening & insert timber framed french doors	ApproveConditionally 29-10-2010
AL/60/11/L	Application for Listed Building Consent for reinstating the external window within existing opening. The proposed single glazed sash window is to include all surround and shutters to match existing windows.	ApproveConditionally 22-08-2011
AL/7/13/L	Application for Listed Building Consent to support an unstable flint wall (with a brick quoin at the end of the wall) with a raked brick buttress constructed either side of the flint wall.	ApproveConditionally 19-03-2013

Various consents approved previously. None directly relevant.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council
Objection.

Contrary to Policy EH8 APC NP. The proposals are visually harmful and not symmetrical. Significant visual harm will be caused.

One public comment, objecting to the proposal on the grounds of harm to the appearance of

the listed building.

Comments on Representations received:

Officer agrees with the above comments. It is not considered that EH8 is relevant to the application as this is a listed building not a building of character listed in Schedule D of the Aldingbourne NP.

CONSULTATIONS

Listed Building Officer
Conservation Officer

Consultations responses received:

CONSERVATION AND DESIGN OFFICER

Aldingbourne House is a late 18th/early 19th century Grade II listed building with later additions to the north.

The documentation submitted in support of this proposal is far from sufficient to allow a full understanding of its potential impact on the significance of the heritage asset. (Ref. NPPF para 128)

However the photographs of an unidentified elevation of the listed building where the works are to occur demonstrate that uniform fenestration is a key architectural feature. The proposal to replace one of the six, strictly symmetrical windows with a door results in loss of existing fabric and causes considerable harm to the distinctive building aesthetic.

It is noted that the subject range is part of the later additions to the north of the original House. However it is part of the evolution of the heritage asset and its starkly symmetrical frontage acts as an effective foil to the more richly embellished form of the House. While the later range may be of less intrinsic interest, it nevertheless makes an important contribution to the significance of the designated heritage asset as a whole.

The proposal is thus contrary to Para. 132 of the NPPF, which requires great weight to be given to the conservation of designated heritage assets and notes that significance can be harmed or lost through inappropriate alteration. Refusal is therefore recommended in terms of Policy HER DM1.

Comments on Consultation responses:

Comments noted, the officer agrees with the conservation and design officer.

POLICY CONTEXT

Designation applicable to site:
Grade 2 listed building.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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).

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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 proposal.

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."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:
In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to conflict with these criteria in that it is considered to detrimentally affect the character and appearance of the Grade II Listed Building.

CONCLUSIONS

The removal of the window and replacement door would represent loss of symmetry of the building and an alien feature on the rear of the property which is largely uniform. The proposal is considered to have unacceptable harm to the appearance and character of the listed building contrary to emerging Arun District Local Plan Policy HER DM1 and paragraph 132 of the National Planning Policy Framework.

HUMAN RIGHTS ACT

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

REFUSE

- 1 The works by reason of their form and location on the building would result in loss of the intrinsic symmetrical character of the building and harm to the appearance of the grade II listed building contrary to emerging Arun District Local Plan policy HER DM1 and paragraph 132 of the National Planning Policy Framework.