**Recommendation Report for Listed Building Consent for Alterations, Extension or Demolitior**

**REF NO:** **AL/7/13/L**

**LOCATION:** Aldingbourne House
Aldingbourne Drive
Aldingbourne

**PROPOSAL:** 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.

## SITE AND SURROUNDINGS

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| DESCRIPTION OF APPLICATION | This is a Listed Building Consent application which seeks permission to erect two raked butresses to support the end of a crinkle crankle wall which is unstable. |
| SITE AREA | N/A |
| RESIDENTIAL DEVELOPMENT DEN | N/A |
| TOPOGRAPHY | Predominantly flat |
| TREES | None of any significance affected by the proposed development. |
| BOUNDARY TREATMENT | N/A |
| SITE CHARACTERISTICS | To the rear of the 18th century Aldinngbourne House which is currently flats, is an allotment area and garage block. These areas are enclosed with flint walls and brick wall. The brick wall has existing butresses supporting it. |
| CHARACTER OF LOCALITY | Rural location, isolated building not seen from the road. |

## RELEVANT SITE HISTORY

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| AL/60/11/L | Application for Listed Building Consent for re - instating the external window within existing opening. The proposed single glazed sash window is to include all surround and shutters to match existing windows. | Approve Conditionaly 22-08-2011 |

## REPRESENTATIONS

**Representations received:**
Aldingbourne Parish Council
No objection
**Comments on Representations received:**
Noted

## CONSULTATIONS

Listed Building Officer
Conservation Officer
Engineers (structural)

**Consultations responses received:**

Historic Buildings Advisor:
No objection: Please condition mortar sample. This should be a lime mortar to match the main wall. This is required to mainatin a good aesthetic appearance, but also to function with the reclaimed bricks which are likely to be sofer in nature. Please condition brick sample. These should be relatively clean and good condition, without paint on the surfaces.

District Structural Engineer:
The proposed butresses are considered structurally acceptable. We would ask that great care is taken in the construction of the butress foundation and rebuilding of the quoin.

**Comments on Consultation responses:**

Noted.

## POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary
Listed Building Grade II
Trunk Road
Class C Road

### DEVELOPMENT PLAN POLICIES

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|---|---|---|
| Arun District Local Plan: | GEN3 | Protection of the Countryside |
| | GEN7 | The Form of New Development |

### PLANNING POLICY GUIDANCE

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| NPPF | National Planning Policy Framework |

## POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

The Development Plan consists of the Arun District Local Plan 2003 and the South East Plan adopted in 2009.

It should be noted that the Arun District Local Plan was adopted in 2003 and the South East Plan in 2009.

In accordance with paragraphs 214 of the National Planning Policy Framework (NPPF), the South East Plan is afforded full weight as part of the development plan. Footnote 41 (page 49) states the Governments clear policy intention to revoke regional strategies.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced 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 NPPF. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

## 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 comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

## 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 building is a Listed Grade II building. It was a grand house which was converted into a chest hospital then into flats in the 1990s.

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 assets conservation. It is considered that the proposal to erect butresses to support the wall which is failing, is the best method to protect the wall from collapse, therefore, it is considered that the proposal is in accordance with this policy.

CRINCKLE CRANKLE WALLS
A crinckle crankle wall is a serpentine, ribbon or wavy wall which economizes on bricks because it is made of just one brick. The convex and concave curves in the wall provide stability and help resist lateral forces. These walls have been cited as early as 1598 and became popular in the 18th century for garden walls aligned east-west to catch the warming sun and were ususally for fruit growing.

THE PROPOSAL AND STRUCTURAL SURVEY
The wall is currently unstable. A structural survey has been submitted to assess all of the walls in this section of the garden. The flint section of the wall has been identified as failing. The engineer identified two methods to mitigate this. An alternative solution would have been to rebuild the wall and lay a concrete foundation with engineering bricks at the damp proof course (dpc). This would be intrusive and the alternative of providing butresses is the more historic approach and it matches similar butresses on other sections of the wall. The bricks for the butresses will be

sourced from reclaimed bricks to match the existing as much as possible.

EFFECTS ON THE LISTED BUILDING
The historic walls are to the side of the house and the section of the wall in question is a small flint section between the access road and the allotment. This section is flint cobble approximately 2.3m high and 4m long constructed with brick edging and capping. The wall has been covered with ivy which has now been removed. The ivy has damaged the lime mortar which causes the wall to lose stablility over time. To support the wall it is proposed to erect two butresses, one either side of the wall. The butress solution is the traditional approach to supporting walls and there are existing butresses along the brick wall adjacent to the garages. The Historics Building advisor has raised no objections. It is therefore considered that the proposal will not harm the Listed Building and will support it for its continued existence.

SUMMARY
The proposal to erect butresses to support the flint wall is a traditional approach which will ensure the stablity of the wall to protect the historic asset. It is therefore recommended that the applicantion is granted consent in accordance with the following conditions.

## HUMAN RIGHTS ACT

FOR APPROVAL
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) 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 proposalnone the following impacts (negative, Neutral or positive) 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).

## 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 drawing number RP-01 rev1, RP-02 rev1, structural support showing butress details.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework

3 The reclaimed bricks for the butresses shall be reclaimed, relatively clean and in good condition without paint on the surfaces, samples of which shall be submitted to and approved by the Local Planning Authority before development is commenced and the materials so approved shall be used in the construction of the butresses.

Reason: To preserve the character and appearance of the Listed Building in accordance with the National Planning Policy Framework.

4 The mortar should match the main wall a sample of which should be submitted to and approved in writing by the Local Planning Authority. The approved mortar shall be used in the constructionof the butresses.

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

5 INFORMATIVE:
Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.