

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

REF NO: AL/7/21/L

LOCATION: The Long House
Nyton Road
Westergate
PO20 3UP

PROPOSAL: Listed building consent to replace the tiles on roof, remove small dormer on rear elevation & replace with a conservation style rooflight & add an identical rooflight.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace roof tiles.
SITE CHARACTERISTICS	The site is occupied by two storey Grade II Listed property which also falls in Eastergate Square Conservation Area.
CHARACTER OF LOCALITY	The area is predominiatley residential on the junction of two main roads.

RELEVANT SITE HISTORY

AL/110/16/DOC	Application for approval of details reserved by condition imposed under AL/88/16/L relating to condition No. 2 (Materials & samples)	DOC Approved 01-12-16
AL/88/16/L	Application for listed building consent for a single storey oak framed conservatory to rear.	ApproveConditionally 10-10-16
AL/87/16/HH	Single storey oak framed conservatory to rear. This application affects the character & appearance of the Eastergate Square Conservation Area.	ApproveConditionally 10-10-16

Noted.

REPRESENTATIONS

Aldingbourne Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The proposal seeks to replace the tiles on the roof, remove small dormer on rear elevation and replace it with a conservation style rooflight. Whilst the complete replacement of the tiles on a listed building would be carefully considered, it is noted that the heritage statement identifies that the existing ones have been harmed through the use of inappropriate foam insulation. This is unfortunate as it has resulted in unnecessary damage to historic fabric. The complete replacement of the tiles is therefore acceptable in this instance. A sample of the proposed tile could be submitted to ensure that it matches the existing ones or achieved by way of condition. The dormer is a later addition and its loss will not result in harm to the historic fabric. It is considered that the proposals will not cause harm to the significance of the heritage assets

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary
Grade II Listed building.
Conservation Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) of the Planning (Listed Buildings and 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The application concerns external works to a Grade II listed building. 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.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the listed building is significant heritage asset proposals should protect the setting of these buildings.

Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage asset in this case is of architectural and historic significance.

Para 190 requires the LPA consider the significance of the impact upon that heritage asset. The proposal will replace the roof tiles on the dwelling. The heritage statement identifies that the existing ones have been harmed through the use of inappropriate foam insulation and in this case the full replacement is acceptable. The tiles that will be used appear similar to existing. A photo showing those used has been submitted and will be included within the plans. A conservation style rooflight is proposed to replace a dormer. The dormer was added at a later date and the type and location of rooflight is considered appropriate and acceptable.

CONCLUSION

It is considered that the proposals will not cause harm to the significance of the heritage assets and as a result is in accordance with HER DM1 and HERSP1, in that it is considered to protect and enhance the special historic and architectural character of the building.

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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
 - Location Plan
 - Velux window details
 - Proposed Roof Plan
 - Rear Elevation
 - Heritage Statement
 - Email received 15/3/21 stating material of roof tiles - Lifestyle Woburn medium.
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun 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 HER DM1 of the Arun Local Plan and the NPPF.
- 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 HER DM1 of the Arun Local Plan and the NPPF .