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

REF NO: **AL/80/17/L**

LOCATION: Hook Place
Hook Lane
Aldingbourne

PROPOSAL: Application for listed building consent to re-wire the electrial system, re-plumb heating & hot water systems to include installation of new boiler & upgrade existing bathrooms.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	Semi-detached residential cottage on corner plot with garden to rear.
CHARACTER OF LOCALITY	Rural with a low density of detached and semi-detached residential cottages and houses.

RELEVANT SITE HISTORY

AL/14/95/L	Application for Listed Building Consent for garden store extension to existing garage and demolition of dilapidated garden store.	ApproveConditionally 05-05-1995
AL/46/09/L	Application for Listed Building Consent for a single storey extension & alterations.	ApproveConditionally 17-07-2009
AL/118/09/L	Application for Listed Building Consent to replace existing fencing with new western red lap boarding and erect gates to garden access.	Refused 27-01-2010 *Appealed* **Appeal: Allowed+Conditions 27 09 2010**

Various listed building consents granted previously.

REPRESENTATIONS

Representations received:
No comments made.
Comments on Representations received:
N/A.

CONSULTATIONS

Listed Building Officer
Conservation Officer
Consultations responses received:

Conservation/Design Officer

Hook Place is much altered and enlarged Grade II listed building, originally of the late 17th century. Provided the works do not involve the cutting of any historic fabric to accommodate new vents/pipes/ducts etc, replacement of the existing wiring, plumbing, sanitary ware and floor coverings does not require listed building consent and there is no objection in terms of Local Plan 2014 Policy HER DM1.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Grade II 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
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 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 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 may also be material consideration to take into account. The examination is due to re-commence in Autumn 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).

No Aldingbourne NDP policies are relevant.

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

The internal works are considered to have a limited impact on the character and appearance of the listed building and its setting.

As such it is considered that the application is recommended for conditional consent.

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

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 works hereby approved shall be carried out in accordance with the following approved plans:

WSX 87645
Heritage Statement

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

3 INFORMATIVE: This consent does not purport or be deemed to grant consent for any buildings or structure within the curtilage of the Listed Building for which a separate application for planning permission is required under the provisions of the Town and Country Planning Act 1990 (as amended).