

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

REF NO: AW/26/21/L

LOCATION: 149 Barrack Lane
Aldwick
PO21 4ED

PROPOSAL: Listed building consent for replacement conservatory to rear of property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a replacement conservatory to the rear.
SITE CHARACTERISTICS	The site is occupied by a detached two storey dwelling with a conservatory to the rear and a detached garage.
CHARACTER OF LOCALITY	Sited next to a Conservation Area. The area is predominately residential comprising detached properties of various styles and designs. The beach is situated to the south.

RELEVANT SITE HISTORY

AW/25/21/HH	Replacement conservatory to rear of property.	
AW/8/20/L	Listed building consent for the replacement of existing plastic rainwater goods with traditional cast aluminium rainwater goods comprising gutters, downpipes & all associated fixtures & fittings.	ApproveConditionally 05-03-20
AW/185/19/L	Application for Listed Building Consent for a single storey side extension, porch to front, detached single storey outbuilding to rear to be used as a garden room, conversion of detached garage room from plat to pitched and alterations to fenestration.	ApproveConditionally 14-08-19
AW/184/19/HH	Single storey side extension, porch to front, detached single storey outbuilding to rear to be used as a garden room, conversion of detached garage room from flat to pitched and alterations to fenestration. This application affects the setting of a Listed Building.	ApproveConditionally 14-08-19

AW/161/14/L

Application for Listed Building Consent to replace & repair roof tiles & windows

ApproveConditionally
12-08-14

Noted.

REPRESENTATIONS

Aldwick Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Conservation Officer - The proposal is for a replacement conservatory to the rear of property. The conservatory design approach is acceptable in the context of a building which has continued to evolve and change, especially in the mid C20 when it was converted in to two homes and substantial alterations were undertaken. The application is considered to not cause harm to the significance of the heritage asset

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary
Grade II Listed Building

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."

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.

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 property was previously part of a larger house but was created when that building was subdivided into two smaller properties at some point in the C.20. It is interesting to note the history of the building during the second world war, which has informed its significance as historic (illustrative). It is also considered to be significant due to its age of construction/appearance and design evolution. It is therefore also of aesthetic significance.

Para 190 requires the LPA consider the significance of the impact upon that heritage asset. The proposal is for a replacement conservatory to the rear of property. The existing conservatory is currently of more traditional appearance and construction. However, from the heritage statement, it was not present in the 1930's. The replacement conservatory is simpler and more modern in appearance than the existing structure and includes larger areas of glazing which allow for more of the rear elevation to be visible and as such is acceptable. The application is considered to not cause harm to the significance of the heritage asset.

Para 192 requires us to take account of other factors. It is considered there are no other factors to outweigh the above consideration.

Following comments from the Conservation officer it is not considered the proposal would harm the

significance of the heritage asset 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
 - Proposed Plans - 1023/03 Rev A
 - Proposed Plans - 1023/02 Rev A
 - Design and Heritage Statement
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 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.

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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 .