

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition**REF NO:** AW/90/14/L**LOCATION:** Westside Cottage
254 Aldwick Road
Bognor Regis**PROPOSAL:** Application for Listed Building Consent for the removal of stud wall separating bedroom with small lobby and create studwork enclosure in bedroom to house a sink and WC**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application is for Listed Building Consent to remove a stud wall which separates bedroom 2 from a small lobby and also to create a studwork enclosure in bedroom 1 to house a sink and WC.
SITE AREA	N/A.
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint boundary wall to front.
SITE CHARACTERISTICS	Detached double fronted house. Roman cement to the front and flint to the side. Painted white. Detached side garage. Two storey flat roof rear extension. Plastered walls.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

AW/265/87/L	Application for Listed Building Consent to remove all wooden windows and replace with U P V C windows to match existing	Refused 16-12-1987
AW/288/89/L	Listed Building Consent for first floor extension to rear of property	ApproveConditionally 05-02-1990
AW/55/12/L	Application for Listed Building Consent for erection of a small partition wall to create cottage style living room and spare bedroom/study.	Approve 19-04-2012

AW/66/13/L sought consent to remove an existing stud wall to enlarge the kitchen area and

AW/66/13/L	Application for Listed Building Consent for partial removal of 1 existing wall located between kitchen/study area & complete removal of internal partition between study/lobby to provide a larger kitchen area. Construction of new wall to create utility/cloakroom	ApproveConditionally 22-05-2013
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construct a new stud wall to provide a toilet and utility area. This was approved with conditions in May 2013.

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Aldwick Parish Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Conservation Officer

Listed Building Officer

Consultations responses received:

Council's Historic Buildings Adviser - no objection.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Within Built-Up Area Boundary;
PD Restriction;
Open Plan Condition;
Listed Building Grade II;
Tree Preservation Order;
No Public Sewer; and
Class B Road.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

[Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections \(February 2014\):](#)

HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE

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 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."

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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The dwelling is a Listed Building (Grade II) and as such the works require Listed Building Consent.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

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 its conservation. As a heritage asset is irreplaceable, any harm should require clear and convincing justification. In this case, for the reasons given below, it is considered that the application is in accordance with this policy.

IMPACT ON THE LISTED BUILDING

The proposal is to remove a stud wall from bedroom 2 and also to create a new studwork enclosure in bedroom 1 to house a sink and WC. This application follows a 2013 approval for similar works albeit in respect of the downstairs. It is considered that this proposal would not damage the historic integrity of the listed building and will provide both increased space to bedroom 2 and upgraded facilities for bedroom 1. Therefore it is recommended that listed building consent is granted 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 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 the National Planning Policy Framework.