

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

REF NO: A/80/19/L

LOCATION: Wayside Cottage
High Street
Angmering
BN16 4AH

PROPOSAL: Application for Listed Building Consent to install cavity wall insulation in to the 1980's extension

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The cottage is located on the street and has a flint wall to approximately 1m that follows the boundary round the curtilage of the property.
SITE CHARACTERISTICS	Grade II listed building Wayside Cottage Probably C17. Two storeys. Three windows. Faced with cobbles, the east front painted brick on ground floor and tile-hung above with a bellcast between. The hipped roof was probably once thatched but is now tiled, with one "eyebrow" on the east side. Casement windows.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

A/153/85/LB	Lb Consent - Rear Extension To Provide Living Room At Ground Floor Bedroom And Bathroom At First Floor	ApproveConditionally 03-02-86
A/191/87/L	Application for Listed Building Consent - Construction of single storey utility room extension and dormer window	ApproveConditionally 25-01-88
A/190/87	Construction of single storey utility room extension and dormer window	ApproveConditionally 25-01-88

Relevant site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

No Objection

Arun District Conservation Area Advisory Panel:

There will be no adverse impact on the character of the Conservation Area.

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Arun's Conservation Officer:

The building is listed as Grade II, and also located within the Angmering Conservation Area. The Conservation area covers the core of the village, with the building being located within the High Street. The High Street is almost entirely residential and is fairly wide with a significant gentle curve which invites exploration of the fine buildings distributed along the road.

The Listed Building itself is a C17, two storey, detached cottage which is predominantly faced with cobbles. The hipped roof is now tiled, and the windows are casement in style. The applicant states that the element of the building covered by this consent was constructed during the 1980's and is of modern construction and fabric. The proposal will only provide for cavity wall insulation in this modern extension. It is noted that reference is made to the fact that the holes required for the injection of the insulation will be small in scale in order to minimise the visual impact. Any works should ensure that the flintwork is not affected by the proposals, and that like for like materials are used in terms of mortar etc. As a consequence, it is considered that this proposal will not harm the significance of the listed building and is considered to be acceptable. The consent should be determined in accordance with the relevant policies within the Development Plan, along with these comments You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), including sections 16 and 72.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary

Listed Building
Conservation Area
Archaeological Notification Area

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings
HERDM3 HER DM3 Conservation Areas

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.

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.

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).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) 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 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.

LISTED BUILDING AND HERITAGE

Paragraph 189 of the National Planning Policy Framework (NPPF) advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has submitted a heritage statement in support of the proposals which includes a description of the listed building and concludes that the proposals could be considered sympathetic to the listed building.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 193 that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

Paragraph 193 of the NPPF reflects the requirements of Section 16(2) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant listed building consent for any works, the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The proposal is not considered to have significant impact on the listed building due to the scale of the works required. The holes that will be needed should not be positioned in the flint work.

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 preserve the special historic and architectural character of the building.

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 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.

- 3 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 .

- 4 The development hereby approved shall be carried out in accordance with the following approved plans:

- InstaFibre: System Supplier's Manual.
- Agreement Certificate 89/2294
- Design and Access Statement
- Heritage Statement
- Location Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 of the Arun Local Plan.