

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

REF NO: BE/12/19/L

LOCATION: 375 Chichester Road
Bersted
PO21 5AT

PROPOSAL: Listed Building Consent to replace dining room window with triple glazed plastic windows. Reduce size of replacement window. Replace bathroom & bedroom window at rear. The wooden back door in the dining room needs replacing to composite door.
Insulate rear outside dining room wall. Cladded & insulated with Marley Weatherboard. Replace the old existing guttering on the entire house from old plastic to deep fill cast iron effect guttering. Replace the rotten front door with a composite door. Repair the front sash windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a number of alterations to the property. These involve - Replacing a number of windows with triple glazed UPVC. - Replace front and rear doors with a composite door. - Replace existing guttering from plastic to that with a deep fill cast iron effect. - Insulate rear dining room wall and clad with weatherboarding.
BOUNDARY TREATMENT	There is a flint wall which runs along the front and north west elevation at approx 1m in height. Rear boundary has cobble and brick wall approximately 1.8m in height, east side boundary has close boarded fencing approximately 2m in height.
SITE CHARACTERISTICS	The site is occupied by a semi detached Grade II Listed Building. To the rear there is a single storey extension that was constructed as a more recent addition.
CHARACTER OF LOCALITY	The area is predominantly residential. The Royal Oak pub is situated to the north west.

RELEVANT SITE HISTORY

BE/5/10/	Extension for new kitchen diner	ApproveConditionally 12-03-10
BE/106/09/L	Application for Listed Building Consent to demolish most	ApproveConditionally

of the extension to the rear of cottage which was built in 1956 to poor standard. Build new single storey extension for new kitchen, new bathroom in old kitchen and shower room in the old bathroom. Take down old bathroom wall to make hallway bigger and a nice shower room. Take out very small wall in lounge to a cupboard under the stairs.

14-01-10

BE/73/09/	Build private workshop	ApproveConditionally 24-09-09
-----------	------------------------	----------------------------------

BE/54/09/L	Application for Listed Building Consent to demolish extension to rear of cottage which was built in 1956 to poor standard. Build two storey extension at rear of cottage. Demolish a brick wall inside between kitchen and bathroom. Move bathroom upstairs.	Refused 07-08-09
------------	--	---------------------

BE/17/09/L	Application for Listed Building Consent to demolish extension to rear of building which was built in 1956 to poor standard. Build a two storey building to rear of property in keeping with style of existing house. Take out inside wall between kitchen and bathroom to enlarge kitchen. Bathroom will be put into old back bedroom. Build a small single storey study to the rear.	Refused 20-05-09
------------	---	---------------------

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council provided no objection.

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Listed Building Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The proposal to improve the appearance of the single storey extension is supported, however at present it is considered to detract from the character of the building. Traditional materials should be used to ensure that it reflects the character of the main listed building.

The proposal to replace the bedroom and bathroom windows with UPVC ones is inappropriate not only in terms of materials but also the design of the window. It is also intended to use plastic triple glazing. The use of this glazing is not considered appropriate for the listed building. Likewise the use of composite doors does not recognise the character or significance of the building.

The proposal to repair the front sash window is supported however if in turn they need to be replaced rather than repaired further listed consent may be required. The replacement guttering from plastic to cast iron effect guttering is also considered an improvement with design to be submitted. Overall, it is considered that the proposal will individually and cumulatively harm the significance of the listed building.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The proposal is considered to have less than substantial harm therefore there is a need to be weighed against the public benefits of the proposal as per para 196 of the NPPF.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

DEVELOPMENT PLAN POLICES

[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.

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.

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 conflict with these criteria in that the use of the materials and design of the development is detrimental to the significance of the Grade II Listed Building, and as such, cannot be supported.

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 proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are HERDM1 of the Arun Local Plan. Additionally the National Planning Policy Framework applies.

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 a significant heritage asset proposals should protect the setting of these buildings.

The single storey rear extension was constructed during the 20th century and is of limited significance to the main listed building. However works to this element should be such that they preserve the significance of the listed building because the Listed Building is a significant heritage asset . The use of materials proposed to the rear addition and the replacement windows and doors should be constructed of traditional materials and as a result do not recognise the character or significance of the building.

The proposal has less than substantial harm on the heritage asset and it is necessary under para 196 of the NPPF to weigh this against the public benefit of the proposal. The term public benefit is defined in the NPPG at para 020 Reference ID: 18a-020-20140306.

This paragraph includes the following:-

"Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation."

It is not considered there are any public benefits arising from the proposal.

SUMMARY

Following comments from the Conservation Officer, it is considered that as a result of the materials and design, the works will individually and cumulatively harm the significance of the Listed Building and as such is recommended for refusal.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed development will individually and cumulatively harm the character and significance of the Grade II Listed Building and therefore conflicts with the National Planning Policy Framework and Policies HER SP1 and HER DM1 of the Arun Local Plan.