

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

REF NO: BE/87/20/L

LOCATION: 107/109 North Bersted Street
Bersted
PO22 9AF

PROPOSAL: Listed building consent for a single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a rear extension.
BOUNDARY TREATMENT	There is a brick wall to the north eastern elevation and fencing to the rear.
SITE CHARACTERISTICS	The site is occupied by a detached two storey Grade II Listed cottage. It is faced with flints and stone rubble with brick dressings and brick quoins and has a hipped thatched roof and wooden casement windows.
CHARACTER OF LOCALITY	The area is predominately residential and falls within North Bersted Conservation Area.

RELEVANT SITE HISTORY

BE/83/20/HH	Single storey rear extension. This application affects the character & appearance of the North Bersted Conservation Area & affects the setting of a Listed Building.
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None.

REPRESENTATIONS

Bersted Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Historic England - From the proposal, it is not necessary for Historic England to be notified.

Conservation Officer - The proposal is to provide a further extension to an existing one. As the proposal is attached to an existing modern extension, and there is the opportunity to improve the rear elevation, it is considered that the proposal is acceptable. This is subject to the use of appropriate/traditional

materials and joinery which are appropriate for the listed building. Details of the materials and windows/doors should be provided to the council, by way of condition. It is considered to not cause harm to the significance of the heritage assets.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Comments noted.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The condition regarding fenestration was added to the house holder application.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Conservation Area

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
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."

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/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 firstly identify the significance of the heritage asset affected by a proposed development. The property is Grade II Listed and is of some significance.

Paragraph 190 of the NPPF requires the LPA to consider the significance of the impact upon that heritage asset. As the addition will attach to an existing extension, the proposal is acceptable. Subject to the submission of materials the application is considered to not cause harm to the significance of the heritage assets.

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
 - Location/Block and Proposed Elevation and Floor Plans - Sheet 1a of 2
 - Proposed Roof Plan - Sheet 2 of 2

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.

- 4 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 .