

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

REF NO: BE/8/22/L

LOCATION: Dove Cottage
76 North Bersted Street
Bersted
PO22 9AQ

PROPOSAL: Listed building consent for the erection of single storey rear conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to build a single storey rear conservatory.
SITE CHARACTERISTICS	The site is occupied by a detached two storey grade II listed dwelling, thought to date back to 1762. It is faced with flints with red brick dressings and quoins, timber casement windows of two different designs, and has a hipped thatched roof with pentice to north-east.
CHARACTER OF LOCALITY	The property is in the North Bested Conservation Area, and is predominantly residential. The area has a strong country character, with most properties traditional in design, and a number of which being 16th, 17th and 18th Century farmhouses.

RELEVANT SITE HISTORY

BE/100/10/L	Application for Listed Building consent to replace existing double timber doors on detached outbuilding with wooden framed double glazed doors.	ApproveConditionally 08-10-10
BE/199/88/L	Application for Listed Building Consent for erection of a conservatory	ApproveConditionally 07-11-88

Relevant planning history noted.

REPRESENTATIONS

Bersted Parish Council - No Objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council Conservation Officer:

- This conservatory will be small in scale and reflect the host building through the use of traditional materials and design. It is considered not to harm the listed building. The location of the conservatory is such that it will not be seen from the public realm and not cause harm.

- Whilst elevation and floor plans have been provided it is not clear what glazing system will be used for the windows. Details of the cross section of the frame, glazing bars, etc and method of glazing should be provided to the LPA (and to an appropriate scale). Likewise, it is suggested that details of the proposed brick/mortar, and a sample panel of the flintwork be provided.

Tree Officer - No response

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The condition requiring materials etc will be added to the planning permission.

POLICY CONTEXT

Built Up Area Boundary

TPO

Conservation Area

Grade II Listed Building

Pagham Harbour Zone B

CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

HERSP1 HER SP1 The Historic Environment

[Bersted Neighbourhood Plan 2014 Policy ES1](#)

Design of new development

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

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The building is a C.19 cottage, although thought to date back to 1762. It is faced with flints with red brick dressings and quoins, has a hipped thatched roof with pentice to north east, and timber casement windows of two different designs. It is considered to be of architectural and historical significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The proposal is for the erection of single storey rear conservatory on the southern elevation of the building. This conservatory will be small in scale and reflect the host building through the use of traditional materials and design, and as such is considered not to harm the listed building. In addition, given the location of the conservatory, it will not be visible from the public realm and as such will not cause harm.

The conservatory is appropriate to the property, and will not cause harm to the heritage asset. It will not be visible from the street scene to the front of the property, and will have minimal impact on the character and appearance of the conservation area. This is subject to the materials used for glazing system of the windows, proposed flint work and brick being acceptable for the building, and will not have a negative

impact on the heritage asset of the property.

SUMMARY

Following comments from the Conservation officer it is concluded the proposal would not harm the significance of the heritage asset and as is in accordance with HER DM1, HER DM3 and HER SP1, in that it is considered to protect and enhance the special historic and architectural character of the building, and preserves the character of the Conservation Area.

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 Plan
- Block Plan and Site Block Plan Proposed
- Existing Side Elevations
- Proposed West, East and Side Elevations
- Proposed Section N-N and W-W
- Detail Drawings

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 .