

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

REF NO: BN/111/21/L

LOCATION: Shelley House
Church Lane
Eastergate
PO20 3UR

PROPOSAL: Listed building consent for single storey rear extension and associated alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks Listed building consent for single storey rear extension and associated alterations.
BOUNDARY TREATMENT	There is boundary treatment of flint walling and planting.
SITE CHARACTERISTICS	Shelley House is a Grade II Listed detached two storey dwelling to west of Church Lane. It is painted brick with a tiled Roof. Stringcourse. There is a shop to front (north west wing) with a modern curved shop front in old style.
CHARACTER OF LOCALITY	Residential. Road to north and west of site. Shop to front. The neighbouring property is the rear of Elm Tree Stores to west.

RELEVANT SITE HISTORY

BN/110/21/HH	Single storey rear extension and associated alterations. This application may affect the character and appearance of the Eastergate Square Conservation Area.	
EG/45/13/DOC	Application for the approval of details reserved by conditions 3 (details of name plate) and 4 (details of replacement windows) following a grant of planning permission EG/34/13/L	DOC Approved 26-09-13
EG/34/13/L	Application for Listed Building Consent for amendments to EG/20/13/L to provide brick support to well found in cellar, replace Crittal side door with timber door matching existing. Remove modern wrought iron stair hand rail & replace with painted timber. Remove casement & replace with matching timber window with the central mullion removed to allow escape. The priesthole in chimney recess is to be retained but enclosed by new wall.	ApproveConditionally 08-08-13

Expose 20th Century studwork on dividing wall above shop

EG/19/13/	Alterations and refurbishment along with conversion of roof space to form 1 bedroom apartment.	App Cond with S106 22-05-13
EG/20/13/L	Application for listed building consent for alterations and refurbishment along with conversion of roof space to form 1 bedroom apartment.	ApproveConditionally 21-05-13
EG/18/07/	Conversion of dwelling into 3 no. 1 bed studio flats & 2 no. 1 bed self-contained flats	Withdrawn 26-04-07
EG/19/07/L	Application for Listed Building Consent for conversion of existing single dwelling to 5 no. flats and alterations to include re-construction of front elevation wall and replacement fenestrations	Withdrawn 26-04-07
BR/207/03/	2 no.2 bedroom flats on existing roof	ApproveConditionally 30-07-03
BR/328/02/	Change of use of first and second floors from redundant office space to 6no. flats.	ApproveConditionally 14-01-03
AB/93/98/	Change of use of first & second floors from residential to antique showroom.	ApproveConditionally 08-10-98
EG/58/11/DOC	Application for approval of details reserved by conditions 4 & 6 relating to EG/72/08/	DOC Refused 19-07-12
EG/14/09/L	Application for Listed Building Consent for the conversion of existing dwelling into 2 no. apartments. Conversion of roof space above existing shop into 1 no. apartment & first floor extension of existing shop to provide 2 no. apartments. Extension of existing shop & erection of 3 no. apartments & covered parking area. Improvements to existing access & service area.	ApproveConditionally 26-05-09

EG/72/08/	Outline planning application for conversion of existing dwelling into 2 No apartments, conversion of roof space above existing shop into 1No apartment and first floor extension of existing shop to provide 2 No apartments. Extension to existing shop and erection of 3 No apartments & covered parking area. Improvements to existing access & service area.	ApproveConditionally 18-03-09
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Noted.

REPRESENTATIONS

Barnham and Eastergate Parish Council - No Objection.

No comments received from nearby occupiers.

Engineers (Drainage) - The application is in the Lidsey Treatment Catchment and Flood Zone 2, surface water drainage design should be carefully considered. Infiltration must be fully investigated. If you are minded to approve the application please apply the following conditions to ensure that the development is adequately drained and does not increase flood risk elsewhere.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. A Pre-commencement condition will be applied to the Householder Planning Application.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer Comments:

Shelley House forms one listed building with the Elm Tree Stores shop. It is an L-shaped C18 building of two storeys and three windows on the principal elevation. The majority of the house has a painted brick elevation, whilst that part closest to the proposed extension is a mixture of brick and flint. Clay tiled roof and chimneys. The principal elevation has sash windows with glazing bars. The shop premises form the north-west wing with a modern curved shop front in old style. An area above the shop has been converted into a small apartment with access to the rear of the building via a modern wooden staircase. It is considered to be of aesthetic (fortuitous) and historical significance.

The village of Eastergate has two conservations areas, with Shelley House being located with the Eastergate Square Conservation Area. The area of Eastergate Square is more urban in its character (when compared to the other conservation area) with a close knit grouping of buildings of various styles and ages fronting the roads, reflecting the historic development of the village at a road junction. Other listed buildings are located next to, and adjoining Shelley House including The Long House, Argyll House, The White House, Old Farm Cottage and Flint House. All of which greatly contribute to the character of the local area being constructed using flint, brick, painted brick/flint and clay tile or slate

roofs.

In addition to the attractiveness of individual buildings and their grouping, a variety of brick and flint walling and boundary hedges contribute to the special character of the Conservation Areas.

The Proposal

The proposal is for a single storey rear extension and associated alterations. The heritage statement helpfully identifies that the works consist of:

- Single storey rear extension
- Enlarging the existing kitchen window to form a new doorway
- Blocking up the existing utility room window and external door

The single storey extension is simple in appearance and reflects the simple elevation of the listed building it is to be attached to. Whilst the gable (south) elevation with apex glazing is a little fussy, especially along with the bargeboard, I am of the opinion that, on balance, it would not cause harm to the significance of the building. Further, it would not be clearly viewed from the nearby roads due to the existing boundary walling and planting. The success of the scheme will therefore depend upon the materials used and the quality of the windows and doors. Details of the windows/doors should be provided for by way of condition. This should include the design, glazing, specification, method of opening and finish, in the form of drawings and sections of an appropriate scale.

The heritage statement identifies that the existing kitchen window will be removed, and the opening enlarged to form a doorway leading from the kitchen into the new extension. Whilst this will naturally lead to a loss of some historic fabric, the amount is not considered to be of concern. The applicant could also retain any useful material for any future repairs to the building or boundary walling.

The existing external door and window from the utility room will be blocked in. This part of the listed building appears to be a much later addition and of no significance. In fact, the proposed extension will screen this part of the building from view, which is positive.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it 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).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built-Up Area Boundary

Listed Building

Conservation Area

WSSC Mineral Consultation Area

HRA Buffers

Lidsey Treatment Catchment

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

[Barnham & Eastergate Neighbourhood Plan 2014](#) Development affecting heritage assets
[POLICY ES7](#)

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 no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The proposals are for a single storey rear extension, blocking up the existing utility room window and external door and enlarging the existing kitchen window to form a new doorway 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.

The key policies are HER DM1 and HER DM3 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

HER DM3 states that in order to preserve or enhance the character or appearance of the Conservation Area, alteration or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings.

Paragraph 189 of the NPPF requires the LPA to firstly identify the significance of the heritage asset affected by a proposed development. The building is considered to be of architectural and historic significance.

LISTED BUILDING AND HERITAGE

Paragraph 194 of the 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 its setting.

When considering the impact of a development on the significance of a designated heritage asset it is identified under Paragraph 199, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Due to the siting of the proposed single storey extension to rear (south) it is largely restricted from view from street scene by boundary walling and planting so will not adversely impact the surrounding Eastergate Square Conservation Area.

The design of the proposal integrates with main building as is simple in appearance and reflects the simple elevation of the listed building it is to be attached to. The Conservation Officer states that 'whilst the gable (south) elevation with apex glazing is a little fussy, especially along with the bargeboard, I am of the opinion that, on balance, it would not cause harm to the significance of the building' so complies with policy HER DM1 of the Arun Local Plan.

The Conservation Officer states "The heritage statement identifies that the existing kitchen window will be removed, and the opening enlarged to form a doorway leading from the kitchen into the new extension. Whilst this will naturally lead to a loss of some historic fabric, the amount is not considered to be of concern. The applicant could also retain any useful material for any future repairs to the building or boundary walling" so this complies with policy HER DM1 of the Arun Local Plan.

The proposal will have apex glazing with a window seat to rear (south) elevation, one new set of traditional French doors to side (west) elevation with fixed side lights and one new conservation roof light to roof plane.

The proposal includes the existing external door and window from the utility room will be blocked in. This part of the listed building appears to be a much later addition and of no significance. In fact, the proposed extension will screen this part of the building from view, which is positive so this complies.

Due to the scale, nature and position of the proposals it is considered, that the proposed works would not cause harm to the the architectural and historical integrity and detailing of a Listed Building or the Conservation area setting so are considered acceptable.

SUMMARY

Following the comments of the Conservation Officer it is considered that the proposal would not cause harm to the significance of the heritage assets or their setting therefore the listed building consent should be granted subject to 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.