

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

REF NO: BR/281/21/L

LOCATION: Berghestede House
1 Shripney Road
Bognor Regis
PO22 9LW

PROPOSAL: Replacement of existing garden room with timber framed garden room. (This application may affect the setting of a listed building).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to replace an existing garden room with a timber framed garden room.
SITE CHARACTERISTICS	The site is occupied by a detached two storey grade II listed C17 dwelling.
CHARACTER OF LOCALITY	The property is situated in an area which is predominantly residential, with a mixed composition of both traditional and modern style terraced, semi-detached and detached properties.

RELEVANT SITE HISTORY

BR/137/21/L	Listed building consent for replacement of existing non-original sash windows with retention of existing frames.	Refused 24-08-21
BR/228/15/L	Application for Listed Building Consent for alterations to remove kitchen larder walls & widen doorway opening between kitchen.	ApproveConditionally 15-12-15
BR/335/08/L	Application for Listed Building Consent for proposed extractor to en-suite bathroom ducted through the ceiling to a roof tile vent.	ApproveConditionally 24-12-08
BR/321/08/L	Application for Listed Building Consent for a proposed extractor flue and external grille to south elevation.	
BR/257/08/L	Application for Listed Building Consent for a proposed	ApproveConditionally

en-suite bathroom & removal of wall panels.

13-10-08

BR/417/05/L	Application for Listed Building Consent to demolish existing boundary wall & re-build to match existing (resubmission following BR/335/05/L)	ApproveConditionally 10-01-06
BR/335/05/L	Application for Listed Building Consent to demolish existing boundary wall and re-build	Refused 09-11-05
BR/167/91/L	Application for listed building consent for an extension to form additional room	ApproveConditionally 21-08-91

Relevant planning history noted.

REPRESENTATIONS

Bognor Regis Town Council - No Objection

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer:

The extension looks to cover the same area as the existing one but be of an improved design. The simple nature of the design, along with its location will mean that it will not harm the significance of the building. Further information is required for the French doors to ensure that they are appropriate for a listed building. Such details can be provided by way of a condition. Brick work should match the existing. The application is considered to not cause harm to the significance of the heritage asset.

Historic England - Did not wish to comment.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built Up Area Boundary
Grade II Listed Building

DEVELOPMENT PLAN POLICIESArun 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.

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.'

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.17 house which has at some point been renovated. It has a very attractive principal elevation, comprised of many positive historical elements and materials, and 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 property features a garden room which is to be replaced by a new timber framed garden room. This existing extension is uncomplimentary to the host property, and will not be a significant loss. The proposed replacement is an improved design to the existing, and will retain the same footprint. The simple nature of its design is considered to have no harm on the significance of the building.

The proposal is an acceptable replacement for the existing garden room. Being to the side of the property, it will pose no harm to the heritage of the front elevation, and will not be visible to the wider area. Subject to the French doors being appropriate for the listed building, and the brick walls matching the existing, the materials proposed will compliment the host dwelling 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 and HER SP1, in that it is considered to protect and enhance 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 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location and Block Plan
- Existing Elevations EX1
- Existing Floor and Roof Plans PV2
- Proposed Floor and Roof Plans PV1
- Proposed Elevations PR1

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 No development above damp proof course (DPC) level shall take place unless and until a schedule of external materials and finishes, and cross section of frame (including proposed glazing) to be used for the French doors of the extension have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the Listed Building by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER SP1 of the Arun Local Plan.

- 4 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.

- 5 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 .