

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

REF NO: EG/64/18/L

LOCATION: Flint House
Church Lane
Eastergate
PO20 3UR

PROPOSAL: Listed building consent for internal alterations to include removal of dividing wall between kitchen & dining room, exposing existing timber frame within wall; levelling of internal ground floor & raise front door lintel.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks internal alterations to the listed building which would involve the removal of a dividing wall to expose a timber frame. The floor will also be restored to its original height with the front door lintel also to be raised.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The property has hedging and brick walling to the front elevation.
SITE CHARACTERISTICS	The site is occupied by a detached two storey Grade II listed building.
CHARACTER OF LOCALITY	The area consists of primarily detached houses constructed over various periods of time. Flint and brick boundary walls also feature in the area.

RELEVANT SITE HISTORY

EG/25/96/L	Application for Listed Building Consent for demolition of 6 metre length of rear garden wall	ApproveConditionally 01-08-96
EG/9/95/L	Application for Listed Building Consent for pitched tile roof to replace flat felt roof over garage and change of window pattern. New entrance porch.	ApproveConditionally 30-03-95
EG/8/95	Pitched tile roof to replace flat felt roof over garage and change of window pattern. New entrance porch	ApproveConditionally 30-03-95

Relevant site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Eastergate Parish Council provided no response.

No representation from nearby occupiers

Conservation Area Advisory Committee provided no response.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

The proposed works to the property are considered to be acceptable. I provide the following comments:

Cellar: the proposal is to return the floor to the original height so that it reflects the rest of the room. Such a proposal is acceptable as it allows the room to be fully used, and restores it more to its previous appearance.

Kitchen/dining room: this proposal allows for the main structural element of the property to remain, whilst allowing the two rooms to be linked. All of the proposed kitchen cabinetry should be free standing so that it does not affect those walls with panelling. The creation of a new larder is also considered to be acceptable.

Kitchen floor: there is a mixture of levels in the property. The proposal will allow for the room to be fully used. I should stress that I am not a structural engineer, and I cannot comment on the impact of the proposed works on the structure of the building.

Front door lintel: the proposal to raise the height of the door is acceptable, as previous alterations have taken place at this point. All of the bricks that are removed should be re-used at the property. I support the retention of the front door, which should be sensitively adapted.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built up Area Boundary

Conservation Area

Listed Building.

DEVELOPMENT PLAN POLICES

HERDM1 HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

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."

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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application concerns internal works to a Grade II Listed Building. Given the buildings listed status, any alterations should protect and enhance the special historic and architectural character of the building and preserve its setting.

The application seeks internal alterations consisting of raising of the floor levels and a removal of an internal wall restoring it more to its previous appearance. The proposal has been considered by the Listed Building Advisor who has raised no objection in relation to the proposed works.

As such the proposed alterations would have a minimal effect on the character and appearance of the listed building and are in accordance with HERDM1 and HERSP1 of the Arun Local Plan.

HUMAN RIGHTS ACT

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 - 17123-02
 - Proposed Floor Plan and Elevation - 17123-03
 - Heritage Design and Access Statement (Aug 2018)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HERDM1 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 policy HER DM1 of the Arun Local Plan.
- 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.

Reason: To preserve the special character and appearance of the building for the future in accordance with policy HER DM1 of the Arun Local Plan.