

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

REF NO: EP/53/21/L

LOCATION: Preston Hall, Flat 3
The Street
East Preston
BN16 1HU

PROPOSAL: Listed building consent for original bathroom relocated & dining room formed, fan installed in bathroom, en-suite installed in bedroom 1 & fan installed, new doorway into bedroom 1 & existing door way blocked up, internal timber stud wall/corridor removed & kitchen enlarged and internal lobby formed.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Retrospective application for internal alterations to the configuration of the flat including creating a new en-suite and reconfiguration of hallway bathroom and lobby area.
SITE CHARACTERISTICS	Preston Hall is a Grade II listed Building which dates from circa 1840. It is stuccoed, with the ground floor having a rusticated finish, a stringcourse, cornice and parapet. Two storeys. The end window-bays are recessed also the centre one which forms a porch on ground floor with square columns and a projecting cornice over. Casement or French windows, with panels below those on first floor.
CHARACTER OF LOCALITY	Residential with a mixture of flats and detached 1 and 2 storey properties.

No relevant history.

REPRESENTATIONS

Parish Council - No Objection
Conservation Officer - No Objection, No harm. Works were to the modern fabric of the building and are not considered to effect the significance of the building.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Listed Building

DEVELOPMENT PLAN POLICIES

[Arun 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.

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**

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.

Chapter 16 of the NPPF paragraphs 189, 192, 193 and 197 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and a balanced judgement should be taken, having regard to the scale of harm to the significance of the heritage asset.

Para 189 of the NPPF requires the LPA to requires the applicant to describe the significance of the heritage asset affected by a proposed development. As the retrospective works are to the modern fabric of the building there is no effect to the buildings significance. As identified by the conservation officer the work to the building are considered not to cause harm to the significance of the listed building.

As a result the works, the application must be determined in accordance with the relevant policies within the Development Plan. As the works are to the modern fabric of the building then it is considered that the continued use as a private residence will protect the heritage asset in accordance with HER DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 development hereby approved shall be carried out in accordance with the following approved plans;

- AR-158 01

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