

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

REF NO: EP/56/26/L

LOCATION: Vista Point
21 Tamarisk Way
East Preston
BN16 2TE

PROPOSAL: Listed building consent for replacement of first floor rear glazing.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site includes a two storey detached dwelling on a coastal site. It is approached from the north and has an "hourglass" plan, broader at its south end with a linked garage for three cars fanning to the west. The garage block which is attached as part of the house contributes to its completeness and sense of modernity. Its unusual form expresses a sort of cellular containment, whilst the brick type is carried through to the house. The curved rear wall of the garages expresses the bays for three cars inside. In front of the house is a terrace with steps down to the garden.
CHARACTER OF LOCALITY	The site is within the Willowhayne Estate, characterised by large, detached properties on spacious plots. Dwellings along the southern side Tamarisk Way have large gardens, often with access to the beach.

RELEVANT SITE HISTORY

EP/128/22/L	Listed building consent for the conversion of two existing garages to habitable use and single storey link extension from main dwelling to garage.	ApproveConditionally 19-12-22
EP/78/22/L	Listed building consent for a replacement pool house including reshaped pool and adjustments to landscaping.	ApproveConditionally 20-10-22

Relevant planning history noted.

REPRESENTATIONS

East Preston Parish Council - No objection.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The proposal relates to a number of windows to the rear of the building at first-floor level. Having visited the site, it is clear that the majority of the windows and doors are original to the house, although a number have been altered over time through the replacement of double glazing of various widths and some framing elements.

The design of the windows and doors is an important aspect of the building's architectural character, and it is positive to note that one set of non-original doors is proposed to be replaced with a more sympathetic design.

The general approach to the replacement of the windows is positive. However, I have one concern. Whilst the proposed arrangements for windows W3 and W5 seek to replicate the existing design, they do not appear to accurately reproduce the existing glazing proportions. In particular, the vertical frame sections associated with the fanlight and the casement below do not appear to be of a consistent width when compared with the existing arrangement, resulting in a subtle alteration to the sightlines and visual balance of the glazed openings. As the proposed arrangement for W2 appears to more closely replicate the existing sightlines, the applicant should clarify whether the framing sections to W3 and W5 can be adjusted to more closely reflect the existing arrangement.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Grade II Listed Building.

DEVELOPMENT PLAN POLICIES

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

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 Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country

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 this criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

The application relates to the replacement of first floor rear glazing. The key policies are Arun Local Plan (ALP) policy HER DM1 which relates to listed buildings, stating that proposals must protect, preserve and if possible, enhance the historic character and integrity of the building and its setting, and the heritage policies within the NPPF.

The NPPF (2024) sets out several steps when considering impacts on heritage assets. Paragraph 207 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. The applicant has submitted heritage information to fulfil this requirement. Paragraph 208 requires the Local Planning Authority to identify the significance of the heritage asset affected by a development. Vista Point is a grade II listed building which is of architectural and historic interest and is the only designated heritage asset in the locality. A brief summary of its architectural features is set out in the "site characteristics" section above.

Paragraph 212 states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'.

The application seeks the replacement of first floor rear glazing. Efforts have been made to ensure the design of the original glazing has been replicated. The conservation officer initially noted that elements 3 and 5 do not appear to accurately reproduce the existing glazing proportions. In particular, the vertical frame sections associated with the fanlight and the casement below do not appear to be of a consistent width when compared with the existing arrangement, resulting in a subtle alteration to the sightlines and visual balance of the glazed openings.

After further discussion, with both the applicant and conservation officer, the marginal differing in glazing proportions and frame sections would not result in harm to the appearance or significance of the heritage asset. As such, the proposal would be in accordance with Arun Local Plan policy HER DM1 and the NPPF.

The proposals would result in no harm significance of the heritage asset in accordance with Arun Local Plan policy HER DM1 and the NPPF.

SUMMARY

The proposal is in accordance with the relevant development plan policies and the NPPF and as such, it 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

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 2105 3SL01
 Block Plan 2105 3BP01
 Proposed Plans and Elevations 2105 3PA01
 Existing and Proposed Glazing Element W.1
 Existing and Proposed Glazing Element W.2
 Existing and Proposed Glazing Element W.3
 Existing and Proposed Glazing Element W.4
 Existing and Proposed Glazing Element W.5
 Design and Access Statement

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

- 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 Arun Local Plan policy HER DM1 and the NPPF.