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

REF NO: FG/168/23/L

LOCATION: Home Farm House
63 Ferringham Lane
Ferring
BN12 5LL

PROPOSAL: Listed building consent for rebuilding of old flint wall.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks Listed Building Consent to demolish and rebuild a front flint boundary wall.
BOUNDARY TREATMENT	Low front boundary wall constructed of flint.
SITE CHARACTERISTICS	Home Farm House is a Grade II, L-shaped, C18 Listed Building (two storeys). It has stuccoed elevations and a southwest wing of one window faced with flints with red brick dressings and quoins. The building has a gabled, clay tiled roof. In addition to the historic core element of the building are a number of additional single storey additions including a dual pitched conservatory to the northern elevation and bay window to the western elevation. The single storey element abutting Brook Lane has a single storey, single pitched roof.
CHARACTER OF LOCALITY	The site is also located within the Ferring Conservation Area which was designated in April 1976. The Conservation Area is focused on the old core of the village and is surrounded by later 20th century development.

REPRESENTATIONS

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No harm with a condition suggested.
- Given the extent of the degradation of the existing wall, to rebuild is acceptable.
- The additional raising of a 2.4m section the wall is not overbearing on the host asset.

Conservation Area Advisory Committee - No objection.
Boundary flint walling is an important feature of the Conservation Area and it is important that it is retained and protected. This particular section of walling, prominent in the street scene, is clearly in need of repair/ reconstruction. In the Panel's opinion it will be important wherever possible to re-use existing

flints and bricks and to ensure the use of an appropriate mortar mix/finish, and density of flint work.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Listed Building
Built-up Area Boundary

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, 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 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

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

CONCLUSIONS

PRINCIPLE

Policy HER DM1 relates to listed buildings and state that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Not be detrimental to the historic integrity of the building's exterior or interior and where possible enhance the setting of the building.

Chapter 16 of the NPPF paragraphs 200, 201 and 205 relates to identification and assessment of the significance of the heritage asset and the weight given to the conservation of the asset.

Paragraph 200 of the NPPF states an applicant should be required to describe the significance of any heritage assets affected, including any contribution made by their setting. A Heritage Report has been provided and noted that the building is Listed and within a Conservation Area. The building is therefore of architectural and historical significance.

Paragraph 201 of the NPPF requires the LPA to consider the significance of the impact on the asset. The proposal will not affect the setting of the Listed Building. The rebuild of the front boundary wall, although unfortunate that it is significant disrepair, is positive as it will maintain the setting of the Listed Building. Existing flint material is suitable to be cleaned up and re-use in the rebuild of the wall. A small section 2.4m (approx.) nearest to the house will be built at a slightly higher level (1.7m) with a gentle curve downward to meet the height of the original wall (1.08m). The additional height is not detrimental to the scheme and is subservient to the host.

The proposal would not harm the significance of the Listed Building or the Conservation Area and is in accordance with policies HER SP1, HER DM1 of the ALP, and relevant paragraphs 200 and 201 of the NPPF.

SUMMARY
The proposal is in accordance with relevant policies of the ALP, and the NPPF. As such, the proposal is recommended for approval subject to the following 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.

2 The works hereby consented shall be carried out in accordance with the following approved plans:

- Existing and proposed plans and elevations dated 18 December 2023.
- Location Plan

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 Any walling shall conform with a sample panel of flint work which shall be erected on site and approved in writing by the Local Planning Authority before work to walling is commenced.

Reason: To preserve the appearance and special character of the building for the future in accordance with Arun Local Plan policies HER DM1/HER DM3 and the NPPF.