Recommendation Report for Listed Building Consent for Alterations, Extension or Demolitior

REF NO: **FG/27/12/L**

LOCATION: Church Cottage
Church Lane
Ferring

PROPOSAL: Application for Listed Building Consent for minor alterations including 6no new timber windows, new oak cladding to north elevations, installation of new kitchen units & internal re-ordering

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The works proposed include internal and external works. Externally it is proposed to replace existing windows which vary in design with timber casement windows and double glazed units. The opening within the rear dormer would also be increased to accommodate the new window frames. Rationalisation of existing rainwater goods and replacement with UPVC goods are proposed, as are two open porches to doors on the north and east elevations. Internally a new kitchen is to be installed at ground floor level and the re-ordering of the bathroom and bedroom 3, removing a recessed shower to form a cupboard serving bedroom 3.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Site slopes downwards from highway.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Various fencing enclosing rear. Flint walling to front boundary.
SITE CHARACTERISTICS	Grade II Listed Building. Probably C17 , refaced with rough plaster. Tiled roof with gable ends north and south. Various single glazed timber framed windows noted. Two storeys.
CHARACTER OF LOCALITY	Conservation Area, various residential properties and historic buildings surrounding. Church yard opposite.

RELEVANT SITE HISTORY

FG/55/96/L	Application for Listed Building Consent for removal of existing redundant metal garage door-opening bricked up and rendered externally. Removal of existing single office door, bricked up and rendered-replaced by french casement doors. Area now used as dining room/day room.	Approve 29-10-1996
FG/76/99/L	Application for Listed Building Consent for a conservatory (rosewood and glass)	Approve Cond 15-10-1999
FG/48/01/L	Application for Listed Building Consent to cut back existing front boundary wall to form vehicular access.	Refused 08-08-2001 **Appeal: Dismissed 11 04 2002**
FG/219/07/L	Application for Listed Building Consent to replace wrought iron side gate with wooden gate & repaint exterior of property	Approve Cond 22-02-2008
FG/62/08/	To extend existing wall northwards by 3m within house boundard. Introduce wooden gate access to "cottage garden".	Inc Docs Ret'nd 22-05-2008
FG/63/08/L	Application for Listed Building Consent to re-instate ancient flint wall (probably original) northwards along original footing. The wall is approximately 1m high and will abutt the remaining section of the kerbside wall and will extend 3m. Additionally to introduce a small wooden gate in the new section of wall to access a garden.	Approve Cond 09-07-2008
FG/113/08/	Reinstate ancient flint wall along original footing (1m high) with picket gate.	Approve Cond 26-09-2008

REPRESENTATIONS

Representations received:

Ferring Parish Council

Acceptable. Sounds neccessary and careful proposals to preserve the use of this dwelling.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Area Advisory Com
Listed Building Officer

Consultations responses received:

LISTED BUILDINGS OFFICER:
Church Cottage is understood in the list description to be of 17th century origin. Its form and

report

fenestration would tend to support this with generally shallow casement windows, some situated immediately below the eaves level. The cat-slide roof implies an historic outshot arrangement to the rear, whilst more modern development includes a poorly conceived dormer window which remains out of scale with the cottage.

The fenestration is varied, it includes a number of split-pane casements more characteristic of 17th century buildings as well as a sash and some later multi-paned windows. The first floor window on the south elevation appears to be a modern replacement though may have been copied from an historic model. The first floor window on the east elevation is suggestive of an historic type, though the window location is odd in that it is set above the eaves line (drawing no.12 should be corrected to show this).

The main issue with this scheme is the principle of installing double-glazing in a listed building. This is not acceptable as it alters the appearance of the windows and in turn the buildings character. This is detrimental to the amenity value of the heritage asset and the conservation area more generally.

A related concern is the proposal to rationalize the window design to a multi-paned type. This is not appropriate given the buildings date and furthermore ignores good conservation practice which seeks to retain variety and design in building fenestration. This approach is taken to retain character, but also to avoid loss of historic evidence where it is found.

It should be noted that where window replacement is sought, evidence of the existing windows condition is required prior to a replacement being agreed. More modern windows are not normally an issue. In this instance the casements on the first floor could be improved with a flush type.

A further concern is the introduction of door canopies, or porches, to the west and north elevations. These appear overly heavy and decorative for such a modest building. Such embellishment is not particularly appropriate here and should be more restrained.

Other issues include the replacement of iron water goods. An explanation of why these are not being reused should be required. We will also require a method statement for the damp proofing as we would normally want to avoid chemical DPCs, tanking and use of impenetrable renders. These can often exacerbate damp problems.

CONSERVATION AREA ADVISORY COMMITTEE:
Detailing of windows and materials important.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Grade II Listed Building
Conservation Area

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPBE6	Management of the Historic Environment
Arun District Local Plan:	GEN2	Built-up Area Boundary

GEN7 The Form of New Development

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

LISTED
The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

LISTED
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."
The proposal is considered to conflict with these criteria as it is not considered to materially affect the character of the Grade II Listed Building.

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 seeks listed building consent for various works to Church Cottage which is a Grade II Listed Building within the Ferring Conservation Area.

The works proposed are considered to be problematic with the proposed introduction of double glazed units and the removal of existing windows without clear justification. The use of double glazed units is not appropriate for the building as it would alter the character of the building and detract from its amenity value. In addition the replacement of the various window types is also unacceptable, as this would also detract from the historic value of the building and remove the variation of window designs on the building.

The replacement of the existing cast iron rainwater goods is also unacceptable, as existing rainwater goods should be retained and where possible, the current situation should be enhanced. Whilst UPVC rainwater goods are noted to the rear of the building, the use of inappropriate material should not be repeated. As such any new rainwater goods must respect the historic design of the building.

Similarly the proposed door canopies/porches are overstated and do not respect nor enhance the simple character of this building.

The recently published National Planning Policy Framework (NPPF) outlines the importance of conserving and enhancing the historic environment. Paragraphs 128-133 require that great weight be given to conserving heritage assets. The only occassion when harm to a heritage heritage asset maybe acceptable would be to acheive substantial public benefits that outwiegh the harm. In this case no such benefits could be made as a result of the proposed works.

The impact of the proposed works on the listed building is unacceptable; as such it is recommended that the application be refused for the reasons set out below.

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 for family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 a Neutral impact has 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).

RECOMMENDATION

REFUSE

1 The introduction of double glazed units and rationalisation of windows frames, the use of UPVC rainwater goods as well as the decorative door canopies would detract from the historic character of the Listed Building which thereby conflicts with Paragraphs 128-133 of the National Planning Policy Framework (Conserving and enhancing the historic environment), Policy BE6 of the South East Plan and GEN7 of the Arun District Local Plan.