

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

REF NO: FP/7/18/L

LOCATION: Richmond House
47A Felpham Way
Felpham
PO22 8PT

PROPOSAL: Listed Building Consent for proposed side extension to non original part of dwelling

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to construct a single storey side extension with a flat roof in materials to match the existing dwellinghouse including a dental course of bricks at the roof line. The height would be 3.4 metres with a width of 3.3 metres and a length of 4.07 metres set back 6 metres from the front elevation. The proposed internal alterations are to provide a wetroom on the ground floor to accommodate the needs of the disabled occupant.
SITE AREA	0.03 hectares
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	A 1.8 metre flint and lime wall with hedging up to 2.8 metres in height with double solid wooden gates to the front boundary. 1.8 metre brick wall to western boundary. 1 metre painted picket fence to east side with neighbouring semi detached property.
SITE CHARACTERISTICS	A semi detached property formed by the sub division of a 2 storey Georgian style listed property.
CHARACTER OF LOCALITY	A predominantly residential area fronting onto a road, Felpham Way, the B2559 which links Bognor Regis to Littlehampton.

RELEVANT SITE HISTORY

BR/15/55/A	Alterations And Additions For Conversion Into 2 Houses	ApproveConditionally 13-03-55
BR/942/81/LB	Remove Rest Of Wall To Allow Access For Car Rebuild Wall Behind	ApproveConditionally 02-12-81

FP/6/18/HH	Proposed side extension to non original part of dwelling. This application affects the setting of a Listed Building.	
FP/173/00/L	Application for Listed Building Consent for first floor extension and new vehicular access	ApproveConditionally 16-03-01
FP/75/00/L	Application for Listed Building Consent for pent roof and dormer, bedroom extension to new part of building. Vehicle access to provide off road parking.	Refused 17-05-00
FP/97/96/L	Application for Listed Building Consent to replace 3no. double pane sash windows with Georgian style timber vertical sliding, single glazed, six panelled sash windows, (as adjoining house no.47).	ApproveConditionally 01-08-96

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The application is described as an extension to the 1958 kitchen extension to the main, 18th Century construction.

The submitted plans detail an extension, plus a solid wall with door and canopy over. The proposed extension to kitchen is supported in terms of scale, mass, location and detailing, with the exception of the bifold doors as shown on plan. Such glazing is considered out of keeping with the property. It is recommended that a single solid/cottage door be inserted within a solid wall. Fenestration may be introduced.

The solid, freestanding wall with door and canopy is recommended for refusal as this element is dominating, detracts from the main house, its existing (and proposed extension, if approved).

It is noted that the existing and proposed pedestrian and vehicular gates are shown identically. The existing gate as seen during a site visit does not match that drawn, nor would approval be recommended, due to the solid nature of the proposed, and their overly contemporary styling.

COMMENTS ON CONSULTATION RESPONSES:

Gates are not be replaced as part of the application as confirmed by email. The solid freestanding wall has been removed from the scheme.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CLASS A ROAD

LB GRADE II

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings

HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, Modified - Arun Local Plan - January 2018 Consultation Version, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017. Consultation and a further examination in public has taken place. The examination was completed in September 2017. The Main Modifications have been amalgamated with the Arun District Local Plan 2011-2031 (Publication Version) October 2014 to form the 'Modified - Arun Local Plan (2011-2031) - January 2018 Consultation Version' which was out for public consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

In conclusion the emerging Local Plan, the 'Modified - Arun Local Plan - January 2018 Consultation Version', is at a very advanced stage and carries significant weight.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

No policies in the Felpham Neighbourhood Plan are considered relevant to the determination of this application.

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."

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

CONCLUSIONS

PRINCIPLE:

The application concerns the addition of a side extension and internal alterations to a Grade II Listed Building within the built up area boundary. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building, and preserve its setting.

NATIONAL PLANNING POLICY FRAMEWORK:

Paragraph 132 states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional."

Paragraph 133 adds that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 134 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The emerging Local Plan has been through a Public Inquiry and is therefore considered to gain more weight in the determination of applications. Policy HER DM1 of the 'Modified Arun Local Plan - January 2018 - Consultation Version' states that:

"Proposals affecting statutory Listed Buildings will be required to:

- a. Preserve or enhance the historic character, qualities and special interest of the buildings;
- b. Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior;
- c. Protect the architectural and historical integrity and detailing of a Listed Building's interior;
- d. Protect the special interest of buildings of architectural or historic interest; and
- e. Protect, and where possible enhance the setting of the building."

The Policy also states that: "Local Planning Authority will only support alterations to Listed Buildings in order to mitigate climate change where such proposals respect the significance of the Listed Building and do not have an adverse impact on its appearance, character or historic fabric."

APPRAISAL:

The Councils Conservation/Design Officer has appraised the application and considers that the proposed extension is acceptable with regard to its impact on the listed building subject to a number of alterations which the applicant provided in amended plans with the following exception;

The applicant has removed the bi fold doors in the scheme and replaced them with double opening cottage style fenestrated doors in the scheme which on balance are not considered to be detrimental to the architectural and historic integrity of the listed building.

SUMMARY

It is considered that the proposed building by virtue of its design, style and location would not harm the significance of the Listed Building nor have an unacceptably adverse impact upon the historic character of the host dwelling and the proposal is therefore in accordance with the NPPF and policy HER DM1 & HER SP1 of the 'Modified - Arun Local Plan (2011-2031) - January 2018 Consultation Version'

Therefore, it is recommended that listed building consent is granted for the proposed side extension and internal alterations subject to the following conditions;

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 positive impact on the protected characteristics as it provide additional facilities for a disabled person.

RECOMMENDATION

- 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.

Email from additions ltd. dated 27th March 2018 9.50 am.
Dwg.No. 02 Rev A - Proposed Elevations and Plans dated January 2018.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies HER DM1 and HER SP1 of the Modified - Arun Local Plan - January 2018 Consultation Version. & the National Planning Policy Framework.
- 3 INFORMATIVE: This consent does not purport or be deemed to grant consent for any buildings or structure within the curtilage of the Listed Building for which a separate application for planning permission is required under the provisions of the Town and Country Planning Act 1990 (as amended).