

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

REF NO: LY/4/18/L

LOCATION: Lyminster House
Church Lane
Lyminster
BN17 7QJ

PROPOSAL: Listed building consent for the replacement of wooden driveway gates.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to replacement gates at the entrance to the site from Church Lane . The gates would be 1.9m high and constructed of timber.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary comprises a 2.5 metre high flint and brick wall with horizontal bands of flintwork.
SITE CHARACTERISTICS	Grade II Listed Building, detached 2 storey property. Rendered white walls, slate hipped roof. The existing gates are white painted timber approx. 2m high.
CHARACTER OF LOCALITY	The site is located within close proximity to residential properties. Mix of different types, styles and age of properties.

RELEVANT SITE HISTORY

LY/13/16/L	Application for Listed Building consent for a replacement conservatory.	ApproveConditionally 27-07-16
LY/7/16/L	Application for listed building consent to remove stud walls between the kitchen & dining room & dining room & sitting room to create a single open living area.	ApproveConditionally 31-03-16

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

None

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Objection. While there is no objection in principle to the replacement of the gates, including an automation system, it is recommended that the profile of the replacement gate be either: horizontal to top edge, giving a more traditional profile or down sweeping or be metal gates. There is a concern that the new steel posts to support the proposed gates would be visually intrusive, and it is preferable that these be set to brick piers (concealing electrical works/mechanisms etc). Other than this, a manual gate could be fitted.

I would currently recommend the proposed gates be refused.

Conservation Area Advisory Committee - No Objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The Conservation Officer's comments have been addressed with the submission of substitute plans. The gates now have a level top and steel posts have been added to the rear of the existing brick piers. The gate mechanisms are also to be located underground further reducing any visual impact in keeping with the character of the property.

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Grade II Listed Building

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

AREA2 Conservation Areas

GEN7 The Form of New Development

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

HER DM1 Listed Buildings

HER DM3 Conservation Areas

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 District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage 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 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

Lyminster Parish Council are yet to produce a neighbourhood plan and as such there are no relevant policies for consideration in 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."

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

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 the replacement of gates on the site frontage which are attached to the existing boundary flint and brick wall. The works will enhance the appearance of the Listed Building by replacing the existing gates which are in a poor state of repair. The replacement gates would be of similar design and appearance to the existing gates and would not impact upon the structural integrity of the listed building. The steel posts would be located to the rear of the existing brick piers and the gate mechanisms will be located underground further reducing any visual impact in keeping with the character of the property.

The works have been considered by the Council's Historic Buildings Advisor whose initial concerns regarding the design have been addressed.

Therefore, it is recommended that Listed Building Consent is granted for the proposed works.

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.