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

REF NO: P/112/23/L

LOCATION: Little Welbourne
Church Lane
Pagham
PO21 4NX

PROPOSAL: Listed building consent for the demolition and rebuilding of part of southern front garden flint wall, replacement of timber pedestrian gate and repairs to eastern front garden wall facing Church Lane and adjacent to existing vehicle gate.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks Listed Building Consent for the demolition and rebuilding of part of southern front garden flint wall, replacement of timber pedestrian gate and repairs to eastern front garden wall facing Church Lane and adjacent to existing vehicle gate.

SITE CHARACTERISTICS

Little Welbourne is a Grade II listed Building which has been constructed with two parallel ranges. The front range is thought to be 1700's with a stone dated 1709, whilst the back range was constructed in the C19. The building is two storeys and faced with stone-rubble on the front range and brick on the rear, all of which is now white-washed. Thatched roof to the front range and plain clay tile to the rear. Sadly the windows were replaced at some point with those of modern, inappropriate construction (thought to be prior to listing status). It is considered to derive its significance from its architectural and historical interest.

The garage of Little Welborne (to the west of the house) is separately listed at Grade II. It is identified as being an C18 outbuilding of stone rubble with hipped thatched roof. Built into the back wall are some remains of the medieval chapel of St Andrew. C11 chancel arch, blocked in the C16, two small windows and one doorway, all blocked. It is considered to derive its significance from its architectural and historical interest.

CHARACTER OF LOCALITY

Little Welbourne sits within a small cluster of buildings at the end of Church Lane. Pagham Rife lies to the west of this cluster of buildings and the area is semi-rural in character. In addition to Little Welbourne and its separately listed garage, most other buildings within the cluster are listed. To the south of the site is Grey Barn, which has been identified as a non-designated heritage asset. This is an attractive former barn

which has been converted into residential use.

RELEVANT SITE HISTORY

P/1/23/HH	Raising of flat roof to kitchen with replacement balcony above incorporating rooflight accessed by replacement door within new lead dormer. Internal modifications to layout. Electronically controlled replacement front gate. (This application may affect the setting of a listed building).	ApproveConditionally 21-03-23
P/2/23/L	Listed building consent for raising of flat roof to kitchen with replacement balcony above incorporating rooflight accessed by replacement door within new lead dormer. Internal modifications to layout. Electronically controlled replacement front gate.	ApproveConditionally 21-03-23
P/117/88/L	Application for Listed Building Consent for extension to existing house for utility room with bedroom over	Approve 10-10-88

REPRESENTATIONS

Pagham Parish Council - no objection.
No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER
The existing southern stretch of wall is leaning heavily, and a statement has been supplied which considers that the wall is beyond repair. Whilst the demolition of such a long stretch of wall is not normally positive, the fact that it is in a poor state of repair and could collapse, and therefore require re-building, means that there is some justification for the proposal in this particular case.

It is clear that the intention is for the height of part of the southern wall to be increased so that it is similar to that found within the curtilage of Grey Barn. This increase will help to enclose the front garden area and it is assumed that this is for reasons of privacy. It is positive that the intention is for the re-built section of walling to replicate the existing and that all of the current flints and bricks will be salvaged and re-used. Details of the replacement gate should be provided so as to ensure that it is appropriate for the

heritage context.

Therefore, on balance, I am of the opinion that this proposal will not harm the significance of the listed building/curtilage listed walling. This is subject to the quality of the re-built walling be being acceptable. All new flintwork and works of making good of the flintwork will be required to match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, and lime content.

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Listed Building
Tree Preservation Order
Pagham Barbour Zone A
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
The proposal concerns external works to a grade II listed building. The works should aim to conserve and contribute to the building's heritage assets, including its setting.

Policy HER DM1 sets out criteria which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the Listed Building is a significant heritage asset, any proposals should protect the setting of these buildings.

Para 194 of the NPPF requires the Local Planning Authority (LPA) to identify the significance of the heritage asset affected by a development. The property is a grade II listed building, parts of which date from the 18th century. Its architectural and historical features are set out above. The building and its setting are of architectural and historical significance.

Para 195 requires the LPA to consider the significance of the impact upon that heritage asset. As outlined in the conservation officer's comments, whilst the demolition of such a long stretch of wall is not normally positive, the fact that it is in a poor state of repair and could collapse, and therefore require re-building, means that there is a justification for the proposal in this particular case. The re-built section of walling is to replicate the existing and all of the current flints and bricks will be salvaged and re-used. The development will not impact the setting of the listed building, providing that the details of the flint work are acceptable. A condition has been attached to this consent in order to ensure this.

The proposals would preserve the setting of the Listed Building in accordance with design and heritage policies, HER DM1, HER SP1 of the Arun Local Plan and the NPPF. The application is considered to not cause harm to the significance of the heritage asset.

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

- LOCATION AND BLOCK PLANS PL-20
- PROPOSED BOUNDARY WALL ELEVATIONS PL-23
- BLOCK PLAN PL-21

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 No works to the wall shall take place until a 1 square metre sample panel of flintwork and brick work has been constructed on the site. This sample will be inspected by the Local Planning Authority's Conservation Officer and photographic evidence of the sample panel along with details of the mortar mix will be submitted to and approved in writing by the Local Planning Authority (via the relevant application). Once approved, the work can proceed and the details so approved will be used within the construction.

Reason: To preserve the appearance and special character of the building for the future in accordance HER SP1/HER DM1 of the Arun Local Plan and the NPPF.

4 Details of the replacement gate, including the design/appearance and finish (including colour if relevant), shall be provided to and approved in writing by the local planning authority prior to installation.

Reason: To preserve the appearance and special character of the building for the future in accordance HER SP1/HER DM1 of the Arun Local Plan and the NPPF.

5 At all times during the progress of the work hereby consented, 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 HER DM1 of the Arun Local Plan and the NPPF.

6 Upon completion of the work for which Listed Building Consent is hereby granted any damage

caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

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

7 The reconstruction of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials must strictly be with the written approval of the Local Planning Authority.

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