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

REF NO: P/123/17/L

LOCATION: The Chapel, Flat 1 Barton Manor
Barton Close
Pagham
PO21 4FH

PROPOSAL: Application for Listed Building Consent for insertion of 3no. rooflights to south roof plane & replacement metal framed arched windows

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
SITE CHARACTERISTICS	This is an L-shaped house of which the majority dates from the C18-19. But it incorporates in its north west wing remains of an C11 hall and C13 chapel. these are built of stone rubble. Tiled roof. Two buttressses on north wall and another on south wall in the south west angle of the L. The Chapel has C13 lancet windows and, inside the remains of a piscina built into a cupboard. Later additions.
CHARACTER OF LOCALITY	Mixed character area - mostly residential.

RELEVANT SITE HISTORY

P/122/17/PL	Insertion of 3no.rooflights to south roof plane & replacement metal framed arched windows	
P/58/17/L	Application for Listed Building Consent for repairs and works to front boundary wall including removal of canopy	ApproveConditionally 11-10-17
P/63/14/L	Application for Listed Building Consent for removal of modern stud wall	ApproveConditionally 12-08-14
P/20/14/L	Application for Listed Building Consent to change former nursing station to create 2nd bedroom for Apartment 6, to include new staircase & relocation of entrance door	ApproveConditionally 17-04-14

P/13/09/L	Application for Listed Building Consent for insertion of second floor in western end of Chapel and window in western gable.	ApproveConditionally 13-03-09
P/163/07/L	Application for Listed Building Consent for the erection of two storey side extension to East gable to provide second bedrooms to two end flats	ApproveConditionally 04-03-08
P/141/02/L	Application for Listed Building Consent for a proposed minstral gallery to replace original (now demolished) in chapel	Refused 07-02-03

Noted .

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC CONSERVATION/DESIGN OFFICER:

On reviewing the proposals, I would recommend that the use of two rooflights as specified (rather than one roof light and one lantern), would be considered acceptable. The purpose is to illuminate a hallway and small room off this. As the roofs are modern and does not harm the historic fabric, there is no objection other than that outlined above.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Grade II Listed Building;

DEVELOPMENT PLAN POLICES

Publication Version of the Local Plan (October 2014):

HER DM1 Listed Buildings

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. Further consultations on the emerging Local Plan took place for a six week period to 23rd February 2018.

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).

The Pagham Neighbourhood Plan has reached. Reg 14 stage. Policy 1 and 3 have some relevance to alterations to buildings but make no direct reference to Listed Buildings.

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 the above as the proposed works are suitable additions in the the 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:

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.

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.

APPRAISAL:

The Councils Conservation/Design Officer has appraised the application and considers that the proposed works are acceptable in the Listed Building.

SUMMARY:

The Councils Conservation Officer accepts the suitability of the proposal and as such, the application is recommended for approval.

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 development hereby approved shall be carried out in accordance with the following approved plans:-

ADC/9/07 2, Drawing 14, Drawing 16, 12004-SPEC, 12004-SEC1.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 of the emerging Arun District Local Plan.

3 At all times during the progress of the work hereby approved 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 policy HER DM1 of the emerging Arun District Local Plan.

4 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 the National Planning Policy Framework.