

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

REF NO: P/163/21/L

LOCATION: Pennicotts Farm
Pagham Road
Pagham
PO20 1LN

PROPOSAL: Listed Building consent for the demolition of existing conservatory to southern side of building & general repair & maintenance of external brickwork & roof coverings, insertion of 2 No conservation style rooflights to the rear valley roof, & formation of 2 No sets of double patio doors within existing window openings on the northern elevation. Internal alterations comprising the removal of partition walls, reinstatement of wooden balustrade to staircase, and general repair, maintenance and refurbishment.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Internal and external alteration to the building as part of its repair and refurbishment.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low level flint wall with bricks on the top and iron gate to the front which returns along into the side access.
SITE CHARACTERISTICS	A Grade II Listed farmhouse known as Pennicott's Farmhouse, listed on 20th September 1984 and described in Historic England's Listing records as follows: "C18. Two storeys. Three windows. Red brick. Centre window-bay projects slightly. Tiled roof. Glazing bars intact. Outer windows paired windows. Modern gabled brick porch". The property is L-shaped with a rearwards arm along its southern side, adjacent to concrete vehicular drive that leads to farm buildings further to the east. Attached to the northern side of the main building are several single storey brick elements with pitched roofs and glazed structure in line with the front elevation. The property has a small garden with hard surface to its northern end. The rearwards arm is also two storey and has a single storey structure with mono-pitch roof attached to its southern side and a single storey brick/flint coal store at its far end. There are further additions to the side; conservatory and brick porch."
CHARACTER OF LOCALITY	The property is in the countryside off a private access road off the Pagham Road to the south of its junction with Lower Bognor Road and The Royal Oak PH on its western side.

RELEVANT SITE HISTORY

P/95/20/CLE

Lawful development certificate for the existing use of building as 2 No. separate self-contained dwelling houses.

Approve
23-11-20

REPRESENTATIONS

Pagham Parish Council: No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER COMMENTS:

There are a number of questions/issues that need to be considered before I can fully conclude on the impacts of the proposal. If this information is not provided I would have to err on the side of caution and consider that the proposal would be harmful. This level of harm would be classed as less than substantial harm in accordance with paragraph 202 of the NPPF (2021). As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Pagham Harbour Access Management Zone B;
Outside Built-Up Area;
Listed Buildings Polygons;
Archaeological Notification Area.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

PDS Pagham Parish Council's Village Design Statement by
PaghamPC

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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."

The proposal is not considered to comply with these criteria in that the proposed replacement of an existing windows with double-glazed units of a standard design would result in a potential harm to a designated heritage assets or its/their setting and consequently it materially affect the character or the setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. This is in the form of para 202 of the NPPF which states where the harm to heritage assets is less than substantial this must be weighed against any public benefits of the scheme.

CONCLUSIONS

KEY ISSUES - Impact on significance including setting on Grade II listed building

PRINCIPLE

The application seeks Listed building consent for the demolition of existing conservatory to southern side of building & general repair & maintenance of external brickwork & roof coverings, insertion of 2 No conservation style rooflights to the rear valley roof, & formation of 2 No sets of double patio doors within existing window openings on the northern elevation. Internal alterations comprising the removal of partition walls, reinstatement of wooden balustrade to staircase, and general repair, maintenance and refurbishment.

It will be necessary to consider the proposals against the relevant development plan policies which in this case would be HER SP1 and HER DM1 of the Arun Local Plan and the National Planning Policy Framework.

HER SP1 affirms that the Local Planning Authority will encourage the re-use of vacant or underuse

Listed Buildings by approving proposals that contribute positively to their conservation.

HER DM1 set out criteria for 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. Additional proposals should protect the setting of these buildings.

LISTED BUILDING AND HERITAGE

Paragraph 194 of the National Planning Policy Framework (NPPF) advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant submitted a heritage statement in support of the proposals which includes a description of the listed building and its setting.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 199 that a great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In respect of less than substantial harm, para 202 states "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, where appropriate, securing its optimum viable use."

Paragraph 199 of the NPPF reflects the requirements of Section 16(2) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant listed building consent for any works, the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The Pagham Village Design Statement seeks to promote the protection of Officially Listed Buildings, as indicated in Appendix D.

The proposal is to undertake extensive works in order to put the building back into an acceptable state of repair so that it can be used as originally intended, a home. Whilst a lot of information has been provided, it would have helped if it could have been provided so that the existing plans, proposed areas of demolition and proposed plans were separate.

Proposed External Works

The demolition of the modern conservatories is a positive proposal, as it will remove two extensions that harm the significance of the building and ensure that a more appropriate elevation is returned to view.

Works that involve the general repair and maintenance of external brickwork and roof coverings are acceptable subject to the nature of the works and materials to be used.

The insertion of 2 conservation style rooflights to the rear valley roof, and formation of 2 sets of double patio doors within existing window will result in the removal of historic fabric. However, the amount of fabric affected is fairly small and, subject to the design of the replacement doors is acceptable. The new doors will be on the side elevations which means that the principal elevation will not be affected.

There is some inconsistency in the submitted documents, from the submitted drawings it is not clear if unit B is to have a replacement rear conservatory or new porch. Both references appear on the various

plans. For instance, the plan titled 'GF Plan Structures refers to 'new conservatory replace existing', whereas the GF demolition plan refers to 'Garden Porch'.

Proposed Internal Works

Internal alterations comprise of: the removal of some partition walls, reinstatement of wooden balustrade to staircase, along with general repair, maintenance and refurbishment. The loss of the internal walls will result in the loss of some historic fabric, and potentially affect the historic layout of the building, which is unfortunate, and potentially harmful.

On the floor plan (FF Plan Structure) and 'House B FF Staircase' it looks as though door A-FD15 is removed (reference is made to 'block up opening'), where as in both the plans showing the 'section for house A staircase' (House A section staircase B-B section) and 'House A FF Staircase', the door is to be fixed shut, however again unclear which one is relevant and only the latter is the acceptable approach. There is another door which will be blocked up and the door recycled, without justification on the first floor of landing B. It is not clear from the various plans what would happen to the 're-cycled' doors.

References and drawings identify that insulation is to be 'injected into the walls and then new plaster added.' It is not clear how such an approach will allow the building to 'breathe'. This is to be followed by MDF skirting boards, which is not necessarily appropriate for a listed building (see one of the 'Details' drawings). It is not clear how the existing laths and studs will be maintained (a Newton membrane added to the rear of the wall).

Likewise, it is not clear what is to happen to the recycled floorboards, or why they can't remain in their current position, potentially with replacements added for those that have failed.

There are some positive elements to the proposal noted in the Design and Access Statement: the works seek to retain and repair/refurbish the internal architectural detailing that may be present, including fireplaces that will remain in situ, floors and skirting boards, architraves and mouldings. Further, it was noted that the intention is to reinstate some missing features which will improve the character and appearance of the interior spaces of the listed building. Such details should be age appropriate for the building in order to ensure that they reflect the age and character of the building.

Windows

Windows are an important feature in a listed building, and their replacement should be carefully considered. Good practice is that existing windows should be retained and repaired prior to their wholesale replacement. Whilst double glazing could be accepted, they should be of the slimmer units, as opposed to the standard ones. It is clear that the double-glazed units will be of a standard design (such as 24-28mm), as opposed to the slimmer design (such as 12-14mm). As the units are of the standard design, and measurements, their use will not be supported. It appears that reference is made in the window schedule for some secondary glazing. It is again not clear what this will be. The lounge for unit B will not have any form of window whilst every habitable room is required to have some.

Boundary Treatment

No details of how the garden is to be divided are provided. At present it is not clear what sort of walling or fencing etc. would be used and how this would look.

The proposal has been assessed by ADC Principal Conservation Officer and he concluded it was impossible to fully conclude on the impacts of the proposal due to an inconsistency of submitted drawings and unclarity of provided information which was considered to be insufficient regardless of number of documents submitted.

The proposal would result in harm to the significance of this Grade II listed building arising from the

replacement of the proposed double-glazed units of a standard design as opposed to the slimmer design (12-24mm). Incompatible drawings and insufficient information have been provided. This level of harm would be classed as less than substantial harm in accordance with paragraph 202 of the NPPF (2021). As per para 202 of the NPPF, there is a need in the assessment of the application to balance any public benefits against the less than substantial harm.

SUMMARY

Following the comments of the Conservation Officer it is considered that there would be less than substantial harm caused by the works including the windows. However the less than substantial harm is not outweighed by public benefits that arise from the scheme. Therefore listed building consent is to be refused.

Great weight has been given to the conservation of the significance of the heritage assets, irrespective of the level of harm being less than substantial, as required by NPPF para 199. The proposal fails to preserve the significance and setting of the listed building, in conflict with the Planning (Listed Building & Conservation Areas) Act 1990 as amended, the NPPF 2021 and Arun Local Plan policies HER SP1 and HER DM1.

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), 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 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

REFUSE

- 1 The replacement windows which have a standard double glazing design rather than a heritage style design with slimmer units (12-14mm) would adversely affect the significance of a Grade II listed building. This less than substantial harm would not be outweighed by any public benefits of the scheme, as required to be considered in paragraph 202 of the NPPF. The

application conflicts with the NPPF (2021) and policies HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 2 INFORMATIVE: Notwithstanding the above, incompatible drawings and insufficient information have been provided to fully conclude on the impacts of the proposal whether a proposed development will lead to substantial harm to a designated heritage asset.