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

REF NO: P/31/18/L

LOCATION: Barton Manor
Barton Close
Pagham
PO21 4FH

PROPOSAL: Listed Building Consent for amalgamation of flats 1 & 2 into one unit & reopening of original internal doorway

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application also shows the insertion of a further door in a modern partition wall to facilitate the amalgamation of the two flats.
SITE AREA	0.2 hectares.
TOPOGRAPHY	Slight variation of level with the roadway being approx. 1 metre lower than the ground floor level of the listed building.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Existing front boundary wall in mix of brick and stone, approx. 1.2m high.
SITE CHARACTERISTICS	Barton Manor is a large white rendered property which dates back to the eighteenth and nineteenth centuries.
CHARACTER OF LOCALITY	Residential area. The site is located on a small private road with properties of various styles.

RELEVANT SITE HISTORY

P/30/18/PL	Amalgamation of flats 1 & 2 into one unit & reopening of original internal doorway	
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/57/17/PL	Repairs and works to front boundary wall including removal of canopy. This application affects the setting of a Listed Building.	ApproveConditionally 11-10-17

P/122/17/PL	Insertion of 3no.rooflights to south roof plane & replacement metal framed arched windows	ApproveConditionally 02-03-18
P/123/17/L	Application for Listed Building Consent for insertion of 3no. rooflights to south roof plane & replacement metal framed arched windows	ApproveConditionally 02-03-18
P/119/17/PL	Insertion of two fixed rooflights to flat roofed area	ApproveConditionally 02-03-18
P/120/17/L	Application for Listed Building Consent for insertion of two fixed rooflights to flat roofed area	ApproveConditionally 02-03-18
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/35/09/	Insertion of window into western gable	ApproveConditionally 17-06-09
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/162/07/	Erection of two storey side extension to east gable to provide second bedrooms to two end flats	ApproveConditionally 04-03-08
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/88/02/	Proposed alterations to decrease density from 19 en-suite bedrooms to 9 self- contained flats. (Re-submission of P/53/02)	ApproveConditionally 30-10-02

Noted.

Listed building details;
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 Bognor stone rubble. Tiled roof. Two buttresses 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.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

No objection.

No comments received from members of the public.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

Engineering Services Manager

Engineers (structural)

CONSULTATION RESPONSES RECEIVED:

ADC Structural Engineer - No comment with respect to structural issues.

ADC Conservation Officer - No comments received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
ADOPTED LOC PLN
LB GRADE II
ARCHEOLOGY INT
TREE PRES ORDER
NO PUBLIC SEWER

PD RESTRICTION

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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).

In December 2014, the Pagham Neighbourhood Plan was withdrawn from the examination process in order to produce further studies in respect of the impact on the Pagham Harbour SPA/Ramsar Site.

This work has been completed and the Regulation 14 'pre-submission consultation & publicity' stage was undertaken between 02/10/15 and 13/11/15. It is therefore necessary, in accordance with paragraph 216 of the NPPF, to have regard to the Draft Neighbourhood Plan as a material planning consideration.

The following policy is considered to be relevant to this application but only insofar as the site is located within the built up area boundary:

Policy 1 "A Spatial Plan for the Parish":

"The Neighbourhood Plan directs development proposals within the Built Up Area Boundary, as shown on the Proposals Map, provided they accord with other provisions of the Neighbourhood Plan and development plan. Development proposals outside of the Built Up Area Boundary will be required to conform to development plan policy in respect of the control of development in the countryside."

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

This application concerns the amalgamation of 2 flats into 1 and the re-opening of an original doorway and insertion of a door through modern partition to join the two flats at the Grade II Listed Barton Manor.

The works are of a minor nature and subject to a condition to make good the walls following the re-insertion of the former doorway and insertion of the modern doorway in the modern partition wall it is not considered that the proposed works would cause a significant harm to the significance of the designated heritage asset.

The application has not been considered by the Council's Conservation Officer however due to the minor nature of the works which do not affect any of the characteristics of the buildings listed status it is not considered necessary. this is not considered necessary

The proposal is therefore considered that the proposal is in accordance with both the guidance within the National Planning Policy Framework and the content of the policies within the emerging Pagham Neighbourhood Plan. It is recommended that the application is approved, 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 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;

Dwg.no. 2C - Block Plan dated 23.03.2018
Dwg.no. 3 - Proposed Ground Floor Plan dated 08.03.2018

Reason:For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.

3 The making good 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 be with the written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the appearance and setting of the Listed Building in accordance with the National

Planning Policy Framework.