

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

REF NO: R/252/20/L

LOCATION: Palm Cottage
62 Ash Lane
Rustington
BN16 3BT

PROPOSAL: Listed Building consent for orangery and utility to rear of existing dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
BOUNDARY TREATMENT	Small flint wall to the front of the property with a mix of fencing and flint walling to the rear and side of the property.
SITE CHARACTERISTICS	Palm Cottage is a two-storey detached property thought to date from C.1790, which is constructed from cobbles and red brick dressings/ quoins. The building appears to have been developed in a number of stages, including a two storey and a single storey extensions, and in its current form is a rectangular building with a hipped clay tile roof. The existing windows are white painted casements. It is of aesthetic significance.
CHARACTER OF LOCALITY	Residential on the edge of the town centre.

RELEVANT SITE HISTORY

R/251/20/HH	Proposed orangery and utility to rear of dwelling. This application affects the setting of a Listed Building.
R/58/20/PL	Alterations of layout to holiday let and provision of shed. ApproveConditionally This application may affect the setting of a listed building. 30-06-20
R/23/20/L	Listed building consent. This is an application for planning permission in retrospect for the original application R/270/18/PL
R/170/19/DOC	Approval of details reserved by condition imposed under ref R/235/18/L relating to Condition No 3 - window finish, glazing & frames. DOC Approved 28-08-19

R/270/18/PL	Convert existing garage/studio to 1 bed short term holiday let & fence off section of garden to form amenity space (resubmission following R/284/17/PL). This application affects the setting of a listed building.	ApproveConditionally 18-01-19
R/235/18/L	Listed building consent for replacement windows to the front & side of the property	ApproveConditionally 08-02-19

Relevant site history noted.

Application is paired with R/251/20/HH.

REPRESENTATIONS

RustingtonNo objection

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officers Comments:

The proposal is for a single storey structure which will form an orangery and utility to rear of dwelling. It would appear that the new extension would be to the rear of the oldest part of the building but be designed so as to not fully cover the width of that part of the house.

The extension itself is fairly simple in appearance and form which will reflect the characteristics of the host listed building. Likewise, a simple pallet of materials is proposed which include some more modern ones, such as the aluminium windows. These materials are acceptable as they either reflect the host building or are located in such a position that they can be considered to be suitable in a building of this type (e.g. aluminium windows on the rear, modern extension). The extension will be faced with flint work and this should be of a high quality in order to ensure that it matches the existing building. Likewise, the brickwork should match that already present. You might wish to condition details of these if minded to approve the proposals.

The proposals also include some internal alterations, which are small in scale and designed so as to not affect too much historic fabric. Where part of the rear wall of the listed building is to be removed, this is to create a wider opening, and the materials are to be re-used as part of the construction works. This will ensure that the historic fabric remains within the property and is not lost.

I also note that reference is made to replacing the existing guttering and downpipes with something that is more appropriate for the listed building. This is a positive approach, and capable of support.

Whilst a small section of the existing garden wall is to be removed, it is positive to note that the materials will be saved and re-used to repair another section of the walling. The idea of identifying the line of the former wall in the proposed flooring is also positive. Careful attention should be made to ensure that the appearance of the existing walling to be repaired is carefully followed. This will ensure that details such as the coursing will be matched and that there is not a dominance of mortar to flintwork.

Conclusion

The application is considered to not cause harm to the significance of the heritage asset. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account 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:
Within the Built Up Area Boundary
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

HERDM1 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 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 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policy are deemed to be HER DM1 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the NPPF requires such information to be provided in order to assess the impact of the proposal upon these assets. Paragraph 193 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 setting or any features of special architectural or historic interest which it possesses.

In this instance, it is considered that the proposed development does not cause harm to the Listed Building to which it is extending, or nearby listed buildings. This is due to the design of the proposal allowing it to appear well integrated with the host dwelling, and its scale allowing for it to appear subservient to the host dwelling. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

SUMMARY

Following the comments from the Conservation Officer, it is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore should be approved, subject to the following conditions.

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:
 - Location Plan, Block Plan, Existing Site Plan and Existing Floor Plans, Elevations and Roof Plan Dwg No. EX01
 - Design Access and Heritage Statement
 - Steel Replacement Window Specification
 - Proposed Site Plan and Proposed Floor Plans, Elevations and Roof Plan Dwg No PR01
 - Cast Iron Rainwater and Soil System
 - Hardware Specifications
 - Heritage Window Specifications
 - Aluminium Bi-Fold and Sliding Door Systems

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

- 3 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 HER DM1 of the Arun Local Plan and the NPPF .