

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

REF NO: R/77/19/L

LOCATION: Mayfield Cottage
47 Sea Lane
Rustington
BN16 2RG

PROPOSAL: Listed building consent for a single storey rear extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The Listed Building consent seeks to construct a single storey rear extension.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is low walling, however the extension will be partially obscured by a large tree.
SITE CHARACTERISTICS	Mayfield Cottage is a two storey, flint (cobbled) semi-detached cottage. It has painted wooden casement windows with a clay tiled roof. There is also a two storey flat roofed, timber clad rear extension which was added to the property during the 20 century.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

R/76/19/HH Single storey rear extension

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Rustington Parish Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer -
/19/L

The proposal relates to Mayfield Cottage, which is a grade II Listed Building. It is jointly listed with the neighbouring property, No. 49 Sea Lane, Rustington.

Number 47 (Mayfield Cottage) is a two storey, flint (cobbled) semi-detached cottage. It has painted wooden casement windows with a clay tiled roof. There is also a two storey flat roofed, timber clad rear extension which was added to the property during the 20 century. This extension is more modern in appearance.

The proposal is for a single storey rear extension, which is predominantly glazed. It is intended that there is a mono-pitch roof with two roof lights.

It is considered that the structure appears to be subservient to the host dwelling, and designed so that it will be 'light weight'; that is to say, it won't dominate the rear elevation of the property. However, saying that, it will ensure that it helps to reduce the impact of the 20th century extension which detracts from the character of the building.

I note that it is proposed for a section of the rear wall is to be removed in order to open up the extension to the kitchen. This section of walling relates to the modern, 20th century extension, and as a consequence will not affect any historic fabric. The proposal also provides for a 'nib' of the existing wall to be retained, which allows for the evolution of the building to be understood.

It is also positive to note that appropriate materials are proposed, and that the existing boarding will be replaced with something more in keeping.

If minded to approve, it is suggested that the roof lights should be of conservation standard, and the glazing should be the slimmer units associated with a listed building. You may also wish to condition details of the windows.

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 sections 16 and 66 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 built up area boundary
 Grade II Listed Building

DEVELOPMENT PLAN POLICES

[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 above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

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**PRINCIPLE**

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

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.

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 development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

- Location & Block Plan - 285/01 - March 2019 - Rev. A
- Proposed Plans - 285/03 - Feb 2019

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.