

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

REF NO: R/95/22/L

LOCATION: Herne Farm House
2 Park Drive
Rustington
BN16 3DZ

PROPOSAL: Listed building consent to replace 4 No ground floor windows on the front range of the original house and 3 No first floor windows in the modern extension to the rear and north of the original house.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Replacement of 4 ground floor windows to east and west elevations of the property and 3 first floor windows to north/rear of property.
SITE CHARACTERISTICS	Dwellinghouse. Herne Farm House is a Grade II Listed Building which is identified as 'Early C19. two parallel ranges. Two storeys. Three windows. Stuccoed. String course, cornice and parapet. Tiled roof. Casement windows. Glazing bars intact. The building has been altered and extended in the C.20 at various times which has resulted in what can be summarised as two rear extensions to the listed building.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

R/208/21/L	Listed building consent to replace 4 No. ground floor windows, a pair of glazed French doors and a part glazed external door in the northern modern extension to the original house.	ApproveConditionally 27-10-21
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Noted.

REPRESENTATIONS

Parish Council - No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - No Harm. The works only relate to modern fabric in a modern element of the building. I am of the opinion that 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.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Listed Building Grade II

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment

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 complies with this criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

The application concerns external works to a Grade II Listed Building. 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.

Policy 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. Additionally, because the Listed Building is significant heritage asset proposals should protect the setting of these buildings.

Para 194 of the NPPF requires the applicant to identify the significance of the heritage asset affected by a proposed development. A Heritage Statement accompanies this application, the applicant states that the house is of little significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The development does not cause harm to the significance of the asset. This is due to the nature of the works which are sympathetic to the property involving the replacement of 4 ground floor windows which although older did not form part of the original building, and the replacement of 3 windows of modern fabric. It is intended to replace the 4, 20th century, ground floor windows in the original building, on a like-for-like basis matching with those of historical fabric found within southern elevation, including the use of timber frames and single glazing, thus enhancing the appearance of the historic part of the house. The 3 windows to the north, west and eastern elevations of the 1970's extension are to be replaced, these however will be replaced to match the existing standard windows with new slimline double-glazed windows.

The proposal would not harm the significance of the heritage asset and as a result is in accordance with HER DM1 and HER SP1, in that it protects and enhances the special historic and architectural character of the building.

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;

- Heritage Statement
- Window Dimensions
- Block Plan
- Location Plan

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 Details of the ground-floor windows in the eastern and western elevations and the first-floor windows to the eastern, northern and western elevations hereby permitted to be replaced shall be submitted in writing to and approved by the Local Authority and the windows shall be provided in accordance with those details before first use of the rooms. Particular care being taken with the ground-floor windows so that they match in all details with those existing in the southern elevations, to reproduce the style and material of the timber window frames and casements, the arrangement of glazing bars, the set-back of the frames from the external wall face. The first-floor windows may be slim-line double glazed.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with HER DM1 of the Arun Local Plan and the NPPF.

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

- 5 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 preserve the appearance and special character of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF.