

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: R/96/26/HH

LOCATION: The Lodge
Worthing Road
Rustington
BN16 3PS

PROPOSAL: Replacement of 6 No. existing windows within the main dwelling with timber framed, double glazed, leaded light effect windows and replacement of 2 No. windows and 1 No. door in 1980s rear extension with slimline, leaded light effect, heritage aluminium windows and door.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

R/98/26/L	Listed building consent for replacement of 6 No. existing windows within the main dwelling with timber framed, double glazed, leaded light effect windows and replacement of 2 No. windows and 1 No. door in 1980's rear extension with slimline, leaded light effect, heritage aluminium windows and door.	Refused 21-09-26
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REPRESENTATIONS

Rustington Parish Council - No objection.

1 No. letter of support has been received referring to the poor condition of the existing rotten windows frames, which are causing heat loss, severe condensation, damp and mould, and allowing rainwater ingress during adverse weather. the application is supported to address these issues.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:****CONSERVATION OFFICER**

Proposal: Replacement of 6x existing windows within the main dwelling with timber framed, double glazed, leaded light effect windows and replacement of 2x windows and 1x door in 1980s rear extension with slimline, leaded light effect, heritage aluminium windows and door.

Heritage Assets:

The principal listed building is a substantial late nineteenth-century Gothic Revival house designed by J. L. Pearson. It is constructed of yellow brick with stone dressings beneath a clay-tiled roof and is characterised by its stepped gables, projecting bays, stone mullioned and transomed windows and picturesque composition.

The application relates to a smaller ancillary building within the historic group. This is a modest yet attractive Arts and Crafts style building with a picturesque appearance, incorporating projecting gables, a clay-tiled roof, substantial chimney stacks and traditional leaded-light windows. It is constructed of red brick at ground-floor level with tile-hung upper elevations.

The traditional leaded-light windows, with their slender metal casements set within projecting timber frames, make an important contribution to the character, appearance and significance of the building. The building derives significance from its traditional materials, craftsmanship and contribution to the wider historic group.

Comments:

The existing windows within the original part of the building are traditional leaded-light windows with slender metal casements set within timber frames. As such, they make a positive contribution to the character and significance of the listed building.

Historic England advises that traditional windows are often an important part of a listed building's significance and that their alteration or replacement can have a profound effect on its character and appearance. From a previous site visit, and references within the submitted drawings, it is clear that the windows are in a poor state of repair. However, no condition survey or other supporting information has been submitted to demonstrate that the windows are beyond repair or that replacement is the only viable option.

Furthermore, whilst replacement may be acceptable where repair is not possible, the proposed windows would fail to preserve the appearance and character of the existing windows. The incorporation of slim double-glazed units and applied leadwork necessitates altered frame profiles, resulting in a noticeably heavier and less refined appearance than the traditional single-glazed leaded lights. Applied leadwork does not replicate the depth, texture or craftsmanship of true leaded lights and would erode the historic character of the windows. As such, the proposal would result in harm to the significance of the listed building. Consideration should therefore be given to repair, or replacement on a like-for-like basis, potentially combined with sensitively installed secondary glazing.

The proposed aluminium windows within the later extension are acceptable in principle as they would not affect historic fabric. However, it is unclear why the proposed designs have been chosen. For example, Window 07 could be redesigned to better reflect the character of the building, whilst the proposed door would benefit from a simpler design with less, or no, applied lead detailing.

Overall, the proposal would result in harm to the significance of the listed building and cannot be supported.

Conclusion

The proposal would result in harm to the significance of the listed building. Insufficient information has been submitted to demonstrate that the existing windows are beyond repair or that the proposed replacement windows would preserve the character and appearance of the building. As such, the proposal conflicts with Policy HE4 of the National Planning Policy Framework, which requires heritage assets to be conserved in a manner appropriate to their significance and requires harm to be avoided or minimised wherever possible.

The proposal also conflicts with Policy HE6 of the National Planning Policy Framework. In accordance with Policy HE6, any harm to a designated heritage asset is a matter of considerable importance and weight. The extent to which any public benefits justify the identified harm is a matter for the decision-maker.

Regard should also be had to the duties contained within Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

HISTORIC ENGLAND - States no comment to be made.

POLICY CONTEXT

Built-up Area Boundary.

Grade II Listed Building.

Within an area with potentially high ground water.

DEVELOPMENT PLAN POLICIES

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

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

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site is The Lodge on Worthing Road which is a Grade II listed building. This application seeks planning permission for the replacement of six existing windows within the main dwelling and two windows and one door within the 1980s rear extension.

The proposed development is sited within the grounds of Rustington House, which forms part of a small group of Grade II listed buildings on Worthing Road. The Lodge sits within the front curtilage of the estate and is prominently positioned close to the Worthing Road frontage. The surrounding locality is predominantly residential in character. The mature planting, landscaped grounds and historic buildings within the Rustington House estate give the site a more historic character, distinguishing it from the wider suburban residential surroundings.

The location of the existing window and door openings would not change. However, the proposal would materially alter the fenestration through the replacement type, glazing specification, applied leadwork, frame material and external finish. It is therefore necessary to assess the detailed change of the

fenestration, rather than simply noting that the openings would remain in the same position.

On the eastern, western and southern elevations, windows 01, 02, 03, 04 and 06, would be replaced with Accoya timber double-glazed windows. The proposed units would be slim heritage double-glazed units with applied antique leadwork, darkened to support a heritage-style appearance, and the timber frames would be spray-painted black.

For the later 1980s rear extension, windows 07 and 09 on the southern elevation and the door 08 on the northern elevation would be replaced with slimline heritage Crittall-effect double-glazed units. These would also include applied antique leadwork to the double-glazed units and darkened to support a heritage-style appearance.

While the proposal would retain the existing opening positions, the detailed changes to window type, material, glazing and finish would be harmful. Part J of the Arun Design Guide (ADG) refers to the use and material finish of windows respecting an area's character, as well as the character of a building of special architectural or historic interest. Therefore, the use of double-glazed units, altered frame profiles, black painted Accoya timber frames, Crittall-effect units and applied leadwork would result in a heavier and less authentic appearance. The proposed applied leadwork to double-glazed units would not replicate the depth, texture or craftsmanship of the existing traditional fenestration on the dwelling and would appear as a surface-applied treatment rather than an integral part of the window construction.

Therefore, the design and appearance of the replacement fenestration would result in harm to the character and appearance of the dwelling, visual amenity and the character of the area and the proposal is therefore contrary to Arun Local Plan policies D DM1 and D DM4, the ADG and policy 2 of the Rustington Neighbourhood Plan (RNP).

NEIGHBOURING RESIDENTIAL AMENITY

Given the nature and scale of the proposal, which is the replacement of six existing windows within the main dwelling and two windows and one door within the 1980s rear extension, there would be no change to the location of existing fenestration. As such, the development would not result in harm to residential amenity through overbearing, overshadowing, or overlooking impacts. Therefore, the proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 and the ADG in this regard.

HERITAGE

The Lodge, Worthing Road, is a Grade II listed building and seeks the replacement of six existing windows within the main dwelling with timber-framed, double-glazed, leaded-light-effect windows. It also proposes the replacement of two windows and one door within the 1980s rear extension with slimline, leaded-light-effect heritage aluminium units. The proposal must therefore be assessed having regard to Arun Local Plan policies HER SP1 and HER DM1, the National Planning Policy Framework (NPPF).

The Lodge's significance is derived from its special architectural and historic interest, including its traditional fenestration, design detailing, materials and overall character and appearance.

Policy HE6 of the NPPF (2026) requires great weight to be given to the conservation of designated heritage assets, with greater weight given to more important assets. This applies whether the identified harm is less than substantial, substantial, or of total loss. Where harm to a listed building is identified, it must be clearly justified and weighed against the public benefits of the proposal.

The Council's Conservation Officer was consulted and objected to the proposal. They concluded that the works would result in harm to the significance of the listed building as the proposed slim double-glazed units and applied leadwork would not replicate the depth, texture, or craftsmanship of true leaded lights, which contribute to the historic character of the building. Additionally, insufficient information has been

submitted to demonstrate that the existing windows are beyond repair, or that their wholesale replacement is necessary. The submission also fails to demonstrate that the proposal would preserve the character and appearance of the listed building.

A Heritage Statement has been submitted in support of this application. However, it does not assess the condition of each window in detail or explain why replacement is required rather than repair nor does it provide detailed evidence to demonstrate that existing windows are beyond repair. It also does not adequately consider less harmful options, such as repair, draught-proofing, secondary glazing, or like-for-like replacement of individual units where they are proven to be beyond repair.

It is noted that the greatest heritage harm would relate to the replacement of the six windows within the main dwelling, as these form part of the listed building and contribute directly to its special architectural and historic interest through their traditional appearance, proportions, materials and detailing. The two windows and one door within the later 1980s rear extension make a more limited contribution to the listed building's significance and their replacement would therefore result in a lesser degree of harm. However, the proposed Crittall-effect units, applied leadwork and altered appearance would still not be sympathetic to the significance of the listed building.

As a result, it has not been demonstrated that the loss or alteration of the existing historic fenestration is unavoidable, or that the proposed replacement units would reflect the traditional appearance, proportions, detailing, and materials that contribute to the listed building's significance. The proposal would therefore result in harm to the significance of the listed building through the loss of existing historic windows, without evidence that they are beyond repair, and the uncertainty as to whether the proposed replacements would preserve its special architectural and historic interest.

Policy CC2 of the NPPF (2026) gives substantial weight to the benefits of improving the energy efficiency of existing buildings where this would be achieved through development proposals. Policy HE6 also recognises that public benefits, including energy efficiency improvements, may be weighed against heritage harm. However, the scale of any claimed benefit must be evidenced so that it can be properly balanced against the harm to the listed building.

The application places weight on improved energy efficiency submitting evidence within the Heritage Statement of the property's current energy rating and states that the walls, windows, and roof rooms have very poor energy performance. However, a general statement that replacement windows would improve thermal performance is not sufficient, particularly where the works would affect a Grade II listed building and result in the loss or alteration of traditional fenestration that contributes to significance.

The evidence submitted in support of the claimed energy efficiency is limited. No thermal-performance calculations, U-values, carbon reduction data, energy statement, or whole-building assessment have been provided. The application also does not explain how much improvement would result specifically from the proposed replacement windows and door, rather than from addressing other areas of heat-loss elements such as the roof rooms and walls.

While improved energy efficiency may be a public benefit, this must be properly evidenced and sufficient to outweigh any harm to the significance of the listed building. In this case, the application has not demonstrated why the claimed benefits could not be achieved through less harmful alternatives, such as repair, draught-proofing, secondary glazing, or like-for-like replacement where individual units are clearly beyond repair.

In the absence of clear evidence, the claimed energy efficiency benefits remain generalised and unsupported. Limited weight can therefore be given to this public benefit, as it has not been shown that the same or similar benefit could not be achieved through less harmful works. The proposal therefore

does not demonstrate that the identified heritage harm would be avoided, minimised or that it would be outweighed by the energy efficiency benefits.

Overall, the proposal would result in harm to the significance of the Grade II listed building. The greatest harm would be to the six windows in the main listed dwelling, as those windows form part of the historic building and contribute directly to its special architectural and historic interest. The harm from replacing the two windows and one door in the later rear extension would be more limited because that part of the building makes a lesser contribution to significance. Nevertheless, both elements of the proposal would introduce replacement fenestration whose glazing, applied leadwork, frame profiles, materials and finish have not been demonstrated to preserve the special interest of the listed building.

Furthermore, the application has not demonstrated that the existing windows are beyond repair, that wholesale replacement is necessary, or that less harmful alternatives have been properly explored. Although the NPPF (2026), allows energy efficiency improvements to be considered as a public benefit, the application does not provide sufficient evidence to quantify the benefit of the proposed works or demonstrate why similar benefits could not be achieved through less harmful measures. The identified public benefits therefore carry limited weight and does not outweigh the heritage harm. The proposal is therefore contrary to Arun Local Plan policies HER SP1 and HER DM1 and the NPPF.

SUMMARY

The proposed development would harm the significance of the Grade II listed building through the loss of traditional fenestration and the adverse impact on the overall architectural character and appearance. The application fails to demonstrate that the existing windows are beyond repair, that replacement is necessary, or that public benefits would outweigh the identified harm. The proposal would therefore be visually intrusive and incongruous with the listed building, resulting in demonstrable harm to its special architectural and historic interest and the character and visual amenity of the street scene and local area. Therefore, it is contrary to Arun Local Plan policies D DM1, D DM4, HER DM1 and HER SP1, the NPPF and policy 2 of the Rustington Neighbourhood Plan and as such, it is recommended for refusal.

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

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION**REFUSE**

- 1 The proposed development, by virtue of the design of the replacement windows, would result in harm to the visual appearance and significance of the Grade II Listed Building. Insufficient information has been submitted to demonstrate that the existing windows are beyond repair or that the proposed replacement windows would preserve the character and appearance of the building. No public benefits have been identified to outweigh the harm identified. The proposal would therefore fail to preserve the special architectural and historic interest of the Grade II Listed Building and is contrary to Arun Local Plan policies D DM1, D DM4, HER DM1 and HER SP1, and the NPPF.

The development shown on the following plans is hereby refused:

- Location Plan.
- Block Plan.
- Proposed Elevation Plans - 03.
- Proposed Window Details - 04.

- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.