

Recommendation Report for Planning Permission

REF NO: WA/15/22/PL

LOCATION: Walberton Park
The Street
Walberton
BN18 0PJ

PROPOSAL: Removal of the existing tiles, battens and felt of the west wing roof and replace with new (like for like). This application is on CIL Zone 3 (zero rated) as other development. This application may affect the character and appearance of the Walberton Village Conservation area and affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks planning permission for the removal of the existing tiles, battens and felt of the west wing roof and replace with new (like for like). The roof will be rebuilt in a similar construction, utilising similar materials. New materials will be sourced to match the existing style, colour.
SITE CHARACTERISTICS	The site is occupied by a Grade II* Listed Building which forms apartments. The building concerned is located in the modern early 1980's extension which is positioned a distance from the main listed building.
CHARACTER OF LOCALITY	The area is predominately residential. The site is also located in Walberton Village Conservation Area.

RELEVANT SITE HISTORY

WA/16/22/L	Listed Building consent for the removal of the existing tiles, battens and felt of the west wing roof and replace with new (like for like). The roof will be rebuilt in a similar construction, utilising similar materials. New materials will be sourced to match the existing style, colour.	
WA/83/21/L	Listed building consent to replace existing french doors with like for like and with heritage slim double glazing	ApproveConditionally 29-11-21
WA/89/18/L	Listed building consent for a replacement 1.19m high privacy screen, affixed to the existing 0.48m high dwarf wall giving a total height of 1.81m to North and West sides of patio.	Refused 04-02-19

WA/18/02/	Installation of a satellite t.v. dish on chimney stack of a Listed Building within the Walberton Conservation Area	ApproveConditionally 01-05-02
WA/19/02/L	Application for Listed Building Consent for installation of a satellite t.v. dish on chimney stack within the Walberton Conservation Area.	ApproveConditionally 01-05-02

None.

REPRESENTATIONS

Walberton Parish Council have no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

The Conservation Officer did not comment on this application. It is presumed comments have been provided for an application (WA/16/22/L) relating to this application site. These comments are hereby referred to below.

Conservation Officer has no objection to this application. However, the Conservation Officer commented that the proposal is, essentially, to replace the defective roof slates with new ones on the large extension which contains the modern apartments. Such works seem to be logical as an appropriate means of ensuring that the building remains in a good state of repair. It is noted that the intention is for materials to match the existing ones.

The Method Statement indicates that the existing slates will be replaced with Spanish natural slates. Whilst the use of a natural slate is clearly acceptable, it is very important that the new slates should be of an appropriate colour/shade. Therefore, it might be suitable for a sample or details of the slate to be provided in order to ensure that it is appropriate for the Grade II* Listed Building. Such information could be provided by way of condition if you are to recommend approval.

The application is considered to not cause harm to the significance of the heritage assets or their setting. 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).

Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Walberton Village Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
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."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 or the character of the Conservation Area.

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 application site is in the Built-Up Area Boundary (BUAB), a location where the principle of development is acceptable, subject to consideration against other policies in the Development Plan. The application property is a Grade II* Listed Building located within Walberton Village Conservation Area, there may be harm to the character and appearance of the street scene and the setting and significance of heritage assets.

The principle of this proposal has been set in a previous application (WA/83/21/L) to replace existing french doors with like for like and with heritage slim double glazing.

DESIGN

Relevant policies include D SP1 and D DM1 of the Arun Local Plan (ALP) and adopted guidance in the Arun District Council (ADC) Design Guide SPD.

Policy D SP1 "Design" states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

The proposed new roof is modern in design and designed to tie in with the existing tiles, battens and felt of the west wing roof and replace with new (like for like). The existing roof design will be maintained and the new roof would be read as a continuation of the built form.

At Arun Design Guidance 'alterations' are required to provide a cohesive and unified response to the existing scale, form, massing and design details of surrounding development and to ensure that any deviations from the prevailing character of the area are for a high quality design response which complements its surroundings and is appropriate to the schemes location in the existing street hierarchy.

The proposal's scale, form, massing and design create effective addition to the design of the host building. Though, the plain and simple design of the new roof is considered to accord with the Design Guidance in this respect. The design and form of the new roof structure will appear in keeping with the host building. Due to the proposal's scale, form and massing, the proposed development is not be overbearing and not an incongruous addition.

Therefore, proposed scale, form and design details of new roof are not in conformity with existing which is contrary to Policies D SP1 and D DM1 of the Arun Local Plan

VISUAL AMENITY:

Policy D SP1 of the ALP requires developments to reflect the character of the surrounding area in scale and materials. ALP policy D DM4 sets out the policy with regard to alterations and extensions to existing (residential and non-residential) buildings. This includes that they appear visually subservient to the main building and sympathetically relate to and are visually integrated with the existing building in terms of siting, scale, form, massing, design and materials.

The application proposes replacement tiles, battens and felts to the existing hip roof design. The applicant has confirmed that the materials and finishes for the proposed roof would match with the appearance of the existing building including in terms of colours. Based on this, the proposed replacement would sympathetically relate to and appear visually integrated with the existing building. A planning condition will be added to secure the details of the materials and finishes to ensure an appropriate visual appearance.

The proposed roof replacement will not increase the roof height and would have a negligible impact on the scale and appearance of the building and area. The proposals, subject to a planning condition to secure details of the materials and finishes, would have an acceptable impact on the appearance of the existing building and visual amenity and character of the heritage asset, in accordance with ALP policies D SP1, D DM1 and D DM4.

IMPACTS ON THE SETTING AND SIGNIFICANCE OF HERITAGE ASSETS

ALP policy HER DM3 seeks to preserve or enhance the character or appearance of the Conservation Area and states that 'Alterations or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings, townscape or streetscape in the area'. ALP policy HER DM1 seeks to preserve or enhance the significance and setting of listed buildings. Section 16 of the NPPF (paragraphs 184-202) seeks to preserve or enhance designated and non-designated heritage assets and provides policy on how to undertake an assessment of development proposals affecting heritage assets.

The site is a Grade II* Listed Building within Walberton Village Conservation Area. 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. The proposed replacement roof will be visible in the street scene and may impact the significance and setting of a listed building and Walberton Village Conservation Area. However, the proposal will integrate well with the host building by utilising tiles, battens and felt like for like with the existing., thereby reducing the magnitude of impacts on the setting and significance of the heritage assets.

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. 195 of the NPPF states that "when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal". Furthermore Para. 202 of the NPPF stipulates that Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposed roof replacement would result in less than substantial harm to the significance of a designated heritage asset.

The proposal will replace existing tiles, battens and felt of the west wing roof with new (like for like). The roof will be rebuilt in a similar construction, utilising similar materials. New materials will be sourced to match the existing style, colour on a like for like basis i.e. appearance and materials. It is considered that as the tiles, battens and felt are of modern fabric in a modern late C.20 extension to the listed building and considering the separation distance from the main listed building, that this proposal is acceptable.

The Council's Conservation Officer commented in a related application (WA/16/22/L) that there is no objection to this application. However, the Conservation Officer commented that the proposal is, essentially, to replace the defective roof slates with new ones on the large extension which contains the modern apartments to ensure that the building remains in a good state of repair. It is noted that the intention is for materials to match the existing ones. However, it is very important that the new slates should be of an appropriate colour/shade. Therefore, it might be suitable for a sample or details of the slate to be provided in order to ensure that it is appropriate for the Grade II* Listed Building.

It is considered that the proposed roof replacement will not result in significant harm to the setting and significance of the heritage assets to justify refusal in this regard. Furthermore, the scale and form of the roof replacement will not alter the setting of the aforementioned heritage assets. However, a condition is to be added to planning consent (WA/16/22/L) relating to the same property requiring details of the materials and finishes of the new roof to ensure a sympathetic appearance in relation to the existing building. As such, the proposals would accord with the NPPF and ALP policies HER DM1 and HER DM3.

SUMMARY:

The proposals would have an acceptable impact on the character and appearance of the host building, the visual amenity of the street scene and the setting and significance of nearby heritage assets, in accordance with relevant policies - D SP1, D DM1, D DM4, HER DM1, HERSP1, HER DM1 and HER DM3 of the Arun District Council and the NPPF. It is hereby recommended for approval, 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 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 - 002RevA.

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

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.