

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

REF NO: WA/23/26/L

LOCATION: The Old Vicarage
The Street
Walberton
BN18 0PQ

PROPOSAL: Listed building consent for construction of oak framed car port and associated works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The application site is a residential plot with a large, detached Grade II Listed Building within substantial grounds. The building is positioned well back from the public highway, with a large courtyard providing separation from the street. The frontage is defined by a boundary wall and established planting.
CHARACTER OF LOCALITY	The site lies within the Walberton Conservation Area. The eastern part of the conservation area, in which the site is located, is characterised by larger, predominantly detached dwellings that are typically set well back from the carriageway. These properties are often enclosed by boundary treatments that remain clearly visible from the public realm, contributing to the spacious character of the area. Overall, the conservation area has a strong traditional character, with a mix of materials such as flint, different types of brick, slate roofs, and clay tiles. The eastern section, in particular, is defined by large homes set within generous plots, contributing to its open and attractive appearance.

RELEVANT SITE HISTORY

WA/22/26/HH	Construction of oak framed car port and associated works. (This application may affect the character and appearance of the Walberton Village Conservation Area).
WA/57/25/DOC	Approval of details reserved by condition imposed under WA/17/24/L relating to condition 3-sample panel of flint work. DOC Approved 08-08-25

WA/17/24/L	Construction of single storey rear extension and associated works. (This application may affect the character and appearance of the Walberton Village Conservation Area and a Listed building).	ApproveConditionally 05-04-24
WA/17/65	Triple Garage Alterations And Additions	ApproveConditionally 09-12-65

Relevant planning history noted.

REPRESENTATIONS

Walberton Parish Council - No response received.

CAAC (Arun Conservation Area Advisory Panel)- No objection.

Although the proposals will extend the garage complex closer to the road frontage, there will be limited views from the street so that it is considered that there will be a neutral impact on the character and appearance of the conservation area.

No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER

The proposal is for a car port which would be attached to an existing garage structure which is located to the front of the listed building. The existing garage building is large and does not make a positive contribution to the setting and views towards the listed building. There is clear scope for enhancement.

Whilst the proposal would extend this structure it could also help to improve its appearance. It is assumed that a car is already parked in the area that is proposed for the car part so this structure would help to also screen that, which is somewhat positive.

The only location from which the proposed car port would be visible from is from the road to the north of the site. This is through the small opening where the existing double gates provide pedestrian access to the property from The Street. I note from the heritage statement that the intention is to provide additional planting along the northern boundary flint wall to the east of the access gates. Further planting will also be introduced around the oak frame itself. This it is stated, will provide additional screening of this area, and the structure from the road. Whilst this concept would help to ensure that the structure is less visible and soften its impact upon views of the principal elevation of the listed house, further clarification is required.

It is not clear what the extent of the planting would be, nor what type of planting is proposed, this should be clarified. It is assumed that this would be agreed with the Councils Landscape Officer.

Such details can be agreed by way of condition, subject to confirmation that the planting would provide effective screening. I would also want to ensure that the planting is retained for the long term, and if it is removed, it would be replaced.

On balance, I am of the opinion that the proposed car port will have a neutral impact, dependent on the proposed landscaping arrangements which would need to be appropriate for the sensitive context, as well as of sufficient maturity to provide the desired impact.

Conclusion

The application is considered to not cause harm to the significance of the heritage assets or its/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 section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Additional planting is suggested within the submitted Design, Access and Heritage Statement to soften the appearance of the proposed car port, it is noted that the Conservation Officer ultimately concludes that the proposal would result in a neutral impact on the significance and setting of the heritage asset. As such, a landscaping condition would not meet the tests for planning conditions set out in national policy, particularly in terms of necessity, precision, and reasonableness. The limited visibility of the structure further reduces the need for such control. As such, the imposition of a landscaping condition would not be justified in this instance.

POLICY CONTEXT

Within an area with potentially high ground water.

Tree Preservation Order.

Conservation Area.

Grade II Listed Building.

Built-Up Area Boundary.

Lidsey Treatment Catchment Area.

Lidsey Local Flood Risk Zone.

WSCC Mineral Consultation Area.

DEVELOPMENT PLAN POLICIES

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

HERSP1 HER SP1 The Historic Environment

HERDM1 HER DM1 Listed Buildings

[Walberton Neighbourhood Plan Policy 2019-2031](#) Conservation Areas and Areas of Special Character
[VE4](#)

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, The South Inshore & South Offshore Marine Plan 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

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

CONCLUSIONS

HERITAGE

This application seeks Listed Building Consent for the erection of car port within the forecourt of The Old Vicarage.

The principal policy considerations are Arun Local Plan (ALP) policies HER DM1 and HER SP1, together with the National Planning Policy Framework (NPPF), which relate to development affecting listed buildings. These policies require that development must protect, preserve and, where possible, enhance the historic character, integrity and setting of designated heritage assets.

Paragraph 207 of the NPPF (2024) requires applicants to describe the significance of any heritage assets affected by a proposal, including the contribution made by their setting. In this instance, the applicant has submitted a Design, Access and Heritage statement in support of the application, which is sufficient to meet this requirement.

Paragraph 208 of the NPPF (2024) requires the Local Planning Authority (LPA) to identify the significance of the heritage asset affected by a proposed development. The Old Vicarage is a Grade II Listed Building and derives its significance from its architectural and historical interest.

Paragraph 212 of the NPPF (2024) states that great weight should be given to the conservation of designated heritage assets when considering the impact of development proposals, irrespective of whether any harm would be categorised as substantial or less than substantial.

The car port would not be physically attached to the listed building and would be sited along the northern boundary of the application site, adjoining the existing triple garage. The proposed car port would be partially visible within the street scene, although views would be limited to glimpses through the pedestrian access gates from the road to the north of the site. The development would also be partially screened by existing hedgerow planting along the northern boundary. It would be constructed from traditional materials and be of open sided design.

It is noted that Conservation Officer suggested addition of a landscaping condition to secure details of the proposed planting as described in the submitted Design, Access and Heritage statement. However, such landscaping condition would not meet the six tests for planning conditions set out in national policy, particularly in terms of necessity, precision, and reasonableness. Furthermore, the proposal would have a limited visibility from the public realm and such condition would not be justifiable. Overall, the proposal would result in a neutral impact on the significance and setting of the heritage asset.

The proposal would preserve the significance of the listed building and its setting, in accordance with Arun Local Plan policies HER DM1 and HER SP1 and the NPPF. It is therefore concluded that the development would not result in harm to the significance of the heritage asset.

SUMMARY

The proposal is in accordance with the relevant Development Plan policies and the NPPF and as such, it is 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

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 00.01
- Proposed Site Plan 02.01
- Proposed Site Plan of Front Garden and Parking Area 02.02
- Proposed Plans and Elevations 02.03

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