

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition**REF NO:** WA/54/13/L**LOCATION:** Smugglers Steps
The Street
Walberton Arundel**PROPOSAL:** Application for listed building consent to demolish part of a failed boundary wall and rebuild as existing.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal relates to removal and rebuilding of a section of flint/brick boundary walling measuring 12 metres in length which is stepped in height.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The wall is located on the side boundary of the property
SITE CHARACTERISTICS	Flint and brick walling with semi-circular brick coping, located on boundary, approximately 2.1m high dropping in 3 sections to 1.2m high. Smugglers Steps is a detached dwelling with flint elevations and the wall abuts the driveway to the side of the dwelling and extends forwards from a detached flat roofed double garage.
CHARACTER OF LOCALITY	The site is located within the historic residential area of Walberton Village. Dwellings are generally detached and of some age and of varying design and plot size.

RELEVANT SITE HISTORY

WA/62/06/L	Application for Listed Building Consent for the installation of a small velux window	ApproveConditionally 27-07-2006
WA/80/06/T	Reduce height by one third and remove lower branches up to a height of 4 metres from ground level of one Sycamore tree.	ApproveConditionally 18-09-2006

The previous refusedtion WA/34/13/L is noted.

WA/83/06/L	Application for Listed Building Consent for the insertion of four steel tie bars at first floor level to restrain outward movement of front wall caused by roof spread	ApproveConditionally 20-09-2006
WA/34/13/L	Application for Listed Building Consent to demolish part of a failed boundary wall and rebuild as existing.	Refused 24-10-2013

REPRESENTATIONS

Representations received:

Walberton Parish Council

- no objection or comment.

- Conservation Area Advisory Committee - no objection

Comments on Representations received:

None

CONSULTATIONS

Conservation Officer

Listed Building Officer

Consultations responses received:

Historic Building Advisor - No Objection subject to further details.

- Demolition and rebuilding of an historic wall is a last resort and should only be considered acceptable if a) it is qualified by a structural engineer and b) that there is no other option for retention.

- On the basis that this has been fulfilled, the wall should be constructed as close to the original as possible, which includes, use of material, construction and drops in level. These should be shown in a measured drawing with photographs to assist, so that the contractor can get as close as possible to the original. Please condition.

- It should also be anticipated that there will be some loss of material, particularly bricks and these should be replaced with similar. Please therefore condition materials.

- Lastly, please also condition a sample panel of wall to show build quality. This should be in lime mortar, preferably matching a sample within the core of the historic wall. This can easily be undertaken at a lime centre who will match the mortar for colour and texture. .

Comments on Consultation responses:

Comments noted. It is considered that the information submitted with the application from a qualified structural engineer is sufficient to demonstrate that the existing wall is structurally unsound which provides grounds for its removal and replacement.

POLICY CONTEXT

Designation applicable to site:

- Class C road
- Designated Conservation Area
- Grade 2 Listed Building
- Tree Preservation Order

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA2](#) Conservation Areas

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

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."

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 not to conflict with these criteria in that it would not materially affect the character and the setting of the Grade II Listed Building and the character and appearance of the Conservation Area however.

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

The application is for removal of a significant section of flint/brick walling to ground level.

The wall is part of the curtilage of a listed building and is within the Walberton Conservation Area which derives its character from the buildings of mixed age and type within it and attractive walling and hedging defining boundaries. The section of wall is 12 metres in length and can be seen from the site frontage.

The applicants have submitted a Design and Access Statement which details that the wall is structurally unsound and that it suffers rotation of the base and hence is leaning out over the pathway to the side of Little Croft. There is no opportunity or space to buttress the wall and there is a danger of collapse. The Design and Access Statement prepared by a qualified Structural Engineer recommends that the 12m section of the wall be carefully taken down and rebuilt on new concrete foundations, and rebuilt as existing using salvaged materials and bonded lime mortar.

The need to remove the wall in the interest of public safety is considered acceptable. The Council's Historic Buildings Adviser has recommended a series of conditions to ensure that the replacement wall is rebuilt in the likeness of the existing wall. It is considered that these conditions will ensure a like for like replacement. The character and appearance of the conservation area will therefore be preserved.

The application is therefore recommended for approval subject to the conditions set out below.

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

Site Plan

Elevation and Photograph "Boundary Wall" dated November 13

Section thru' Boundary Wall Nov '13

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

- 3 The reconstruction of the wall 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 wall for the future in accordance with policy DEV10 of the Arun District Local Plan.

- 4 Any walling shall conform with a sample panel which shall be erected on site and approved in writing by the Local Planning Authority before work to walling is commenced.

Reason: To preserve the appearance and special character of the building for the future in accordance with policy DEV10 of the Arun District Local Plan.

- 5 No development shall be carried out unless and until a schedule of materials and finishes to be used in the replacement wall has been submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted setting out details of the existing wall on site including the materials, construction and precise heights. The "statement of detail" shall include the proposed replacement materials, method of construction and finished height of the wall. The materials and 'statement of details' so approved shall be used in the construction of the wall.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of preserving the character and appearance of the area in accordance with policy AREA2 of the Arun District Local Plan.

- 6 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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

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presumption in favour of sustainable development, as set out within the National Planning Policy Framework.