

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

REF NO: WA/56/20/L

LOCATION: 5 Goodacres
West Gable
Arundel Road
Walberton

PROPOSAL: Listed building consent for the erection of a shed & car port.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks Listed Building consent for the construction of a shed and carport.
TOPOGRAPHY	Predominantly flat.
TREES	1 TPO tree at front of application site. Entirely unaffected by the proposed development.
SITE CHARACTERISTICS	5 Goodacres (West Gable) Early C19. Two storeys. Three windows. Stuccoed. Slate roof. Glazing bars intact. Doorway with flat hood over supported on narrow wooden uprights.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

WA/55/20/HH	Erection of a shed & car port. This application affects the setting of a listed building.
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No relevant site history. Sister application WA/55/20/HH noted.

REPRESENTATIONS

Parish Council - Objection.

- Insufficient information by which to comment, with relation to materials.

No representations received from occupiers of nearby dwellings

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Tree Preservation Order

Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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 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

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policy is deemed to be HER DM1 of the Arun Local Plan. Additionally, the National Planning Policy Framework is of relevance.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets.

In this instance, it is considered that the proposed development does not cause harm to the Listed Building in which it is sited. This is due to the modest scale of the proposed structures, and their siting as detached from the Listed Building itself. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

SUMMARY

It is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore should be approved, subject to the following conditions. Furthermore, it should be noted that this application for Listed Building Consent is not necessary.

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 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 and statement:

- Block Plan - TQRQM20240101525428 - 27 Aug 2020
- Proposed Elevation of new shed - 2 Oct 2020
- Proposed Elevation of new car port - 2 Oct 2020
- Design and Access Plan - Skinners 8x10 Metal Shed & Kingston Curved Double Carport

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.