

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

REF NO: WA/83/21/L

LOCATION: 8 Walberton Park
Walberton
Arundel
BN18 0PJ

PROPOSAL: Listed building consent to replace existing french doors with like for like and with heritage slim double glazing

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to replace existing french doors.
SITE CHARACTERISTICS	The site is occupied by a Grade II* Listed Building which forms apartments. The apartment 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.

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 proposal is to replace a set of French Window on a like for like basis i.e. appearance/materials. However, there is a difference to the specification such that the intention is to introduce heritage slim double glazing. The existing French Window is of modern construction and fabric and of no significance. Its replacement with one of the same appearance, along with the introduction of the heritage slimmer double glazing is acceptable in this particular instance. I would want to ensure the glazing bars are integral to the French Window as opposed to applied to the glazing, and to be of an appropriate style. The later not being appropriate. The application is considered to not cause harm to the significance of the heritage assets or their setting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

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

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.

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.

The proposal will replace a set of French doors on a like for like basis i.e. appearance and materials. However, it will introduce heritage slim double glazing. It is considered that as the French door is of modern fabric in a modern late C.20 extension to the listed building, and some distance away from the main listed building, that this proposal is acceptable.

The Conservation Officer notes the glazing bars should be integral to the French Window as opposed to applied to the glazing. The latter not being appropriate. This has been discussed with the applicant who has confirmed this is acceptable and a condition will be included to ensure the glazing bars should be integral.

Following comments from the Conservation officer it is not considered the proposal would harm the significance of the heritage asset and as a result is in accordance with HER DM1 and HERSP1, in that it is considered to protect and enhance the special historic and architectural character of the building.

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 glazing bars shall be integral to the French Window as opposed to applied to the glazing.

Reasons: To ensure the development is appropriate in design and appearance to the Listed Building in accordance with HER DM1 of the Arun Local Plan.

- 2 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 3 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF .