

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

REF NO: BN/2/19/L

LOCATION: Barnham Court
Church Lane
Barnham
PO22 0BP

PROPOSAL: Listed building consent for an extract vent to kitchen.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application is to retention of an existing kitchen vent to the southern elevation of the building.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. The dwelling is 3 storeys was extended in early C19.
SITE CHARACTERISTICS	The site is occupied by a Grade I Listed Building.
CHARACTER OF LOCALITY	The area is predominantly residential consisting a dwellings of various styles and designs. There are fields to rear of the site.

RELEVANT SITE HISTORY

BN/20/18/TC	Fell 1No. Lombardy Poplar, 1No. Horse Chestnut, 1 No. Monterey & 1 No. Deodar Cedar. Various surgery to 1No. Ilex Oak, 1No. Monterey Pine & 1No. Horse Chestnut	No Objection 26-07-18
BN/20/10/TC	Fell 1 No Pine tree, fell 1 No Macrocarpa and pruning of various trees within the Barnham Conservation Area	No Objection 02-09-10
BN/2/06/L	Application for Listed Building Consent for a new boiler room on the site of the old derelict boiler room and removal of wood partition in hall room	Approved by DCLG 03-04-06
BN/37/05/TC	Surgery to various trees (Within the Barnham Conservation Area)	No Objection 20-01-06

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham Parish Council

Barnham Parish Council provided no objection to the application.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Historic England

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection.

Historic England - The application is likely to cause less than substantial harm. Full comments available online.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside built up area boundary

Conservation Area

Grade I Listed

Archaeological Notification Area.

DEVELOPMENT PLAN POLICES

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

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

[Barnham & Eastergate Neighbourhood Plan 2014](#) Development affecting heritage assets

[POLICY ES7](#)

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

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 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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application concerns external works to a Grade I 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.

DESIGN AND VISUAL AMENITY

The proposal is for the retention of an extraction vent to the southern elevation of the dwelling. The vent is limited in size and due to its siting is not considered to give rise to any significant harm to the appearance of the dwelling.

The proposal has been considered by the Listed Building Advisor who has raised no objection in relation to the works.

The works will retain the appearance of the existing building and as such are not considered to have an adverse impact on the historic character of the listed building and are in accordance with HERSP1 and HERDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and causes less than substantial harm to the heritage asset (thereby not conflicting with the relevant paragraphs of the NPPF) and as such 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

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 approved shall be carried out in accordance with the following approved plans
 - Location Plan
 - Floor Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.