

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

REF NO: BN/77/19/L

LOCATION: Barnham Court Lodge
Church Lane
Barnham
PO22 0BP

PROPOSAL: Installation of air source heat pump.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct an air source heat pump.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a flint wall to the rear of the property.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed Building.
CHARACTER OF LOCALITY	The area is predominantly residential and is located within a Conservation Area. Barnham Court and St Mary's Church to south of site.

RELEVANT SITE HISTORY

BN/76/19/HH	Installation of air source heat pump.	
BN/33/17/DOC	Application for approval of matters reserved by condition imposed under BN/29/15/PL relating to conditions 11- management plan for annual growth of wildflowers & development of scrubs & 13-landscape scheme.	DOC Approved 19-12-17
BN/53/14/DOC	Application for approval of matters reserved by condition imposed under BN/35/14/L relating to conditions 3 & 4 for construction material details of window & schedule of materials & sample panels of external finishes.	DOC Approved 26-02-15
BN/35/14/L	Application for listed building consent for the construction of rear single storey garden room extension.	ApproveConditionally 12-11-14

BN/34/14/HH	Rear single storey garden room extension. This application affects the character and appearance of Barnham (Church Lane) Conservation Area	ApproveConditionally 11-11-14
BN/26/13/	Conversion of garden store area of adjacent detached garage building into a home office. This application affects the character and appearance of Church Lane Barnham Conservation Area	ApproveConditionally 11-11-13
BN/29/10/	Installation of solar photovoltaic panels on south facing roof of garage.	ApproveConditionally 30-11-10
BN/7/08/L	Application for Listed Building Consent for the enclosure of existing covered area to form entrance porch.	ApproveConditionally 24-04-08
BN/37/07/L	Application for Listed Building Consent for replacement and additional windows to north elevation. Additional window to the west elevation.	ApproveConditionally 26-11-07
BN/32/05/	Additional dormer window on south elevation - amendment to previously approved application BN/54/04	ApproveConditionally 11-01-06
BN/33/05/L	Application for Listed Building Consent for additional dormer window on south elevation - amendments to previously approved application BN/55/04/L	ApproveConditionally 11-01-06
BN/55/04/L	Application for Listed Building consent for extension and alterations to Barnham Court Lodge.	ApproveConditionally 20-12-04
BN/54/04/	Extension and alterations	ApproveConditionally 20-12-04
BN/24/04/L	Application for Listed Building Consent for detached domestic garages & garden store	ApproveConditionally 30-06-04

BN/7/04/L	Application for Listed Building Consent for detached domestic garages and garden store (re-submission of BN/35/03/L).	Refused 07-04-04
BN/6/04/	Detached domestic garages and garden store (re-submission of BN/34/03).	Refused 07-04-04
BN/34/03/	Detached domestic garages and garden store.	Withdrawn 02-10-03
BN/35/03/L	Application for Listed Building Consent for detached domestic garages and garden store.	Withdrawn 02-10-03
BN/18/00/L	Application for Listed Building Consent for detached domestic garage & garden store (Resubmission following	Refused 05-12-00
BN/17/00/	Detached domestic garage & garden store (Resubmission following BN/15/99)	Refused 05-12-00
BN/16/99/L	Application for Listed Building Consent for detached domestic garage with store	Refused 27-08-99
BN/14/97/L	Application for Listed Building Consent to replace extension front and rear window frames with different design and glaze with 16mm sealed units. Front frame same size, rear frame reduced size	ApproveConditionally 25-07-97
BN/11/95/L	Application for Listed Building Consent for replacement of windows to front elevation in same style and design as existing. Construct opening to loft in front bedroom and enlarge opening to loft on landing.	ApproveConditionally 18-08-95

Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

No objection.

No representation received from nearby occupiers.

Conservation Area Advisory Committee provided no objection

- There will be no adverse impact on the Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The concept of introducing sustainable technology is accepted and the design and location of the equipment is such that the listed building will not be harmed. The application considered to not cause harm to the significance of the heritage assets or their setting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area

Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

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.

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(2) 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

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 HERDM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural historical integrity, as well as its special interest. Additionally, because the listed building is a significant heritage asset, proposal should protect the setting of these building.

The proposal seeks to install an air source heat pump to the rear of the property. The method of linking the equipment with the associated pipe work running under the garden will not harm the historic fabric as it will not be visible.

Para 190 requires the LPA to consider the significance of the impact upon that heritage asset. The proposal has limited impact as a result of the modest addition and its siting to the rear of the property. and is not considered to cause harm to the significance of the heritage asset.

Following comments from the Conservation officer, the development is considered to accord with HERDM1 and HERSP1 of the Arun Local Plan, in that it is considered to protect and enhance the special historic and architectural character of the building.

The proposed development is deemed to accord with relevant development plan policies 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 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
 - Proposed Block Plan - MPC1
 - Data Sheet with Elevation
 - Heritage Statement
 - Statement
 - Heat Pump installation

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

- 3 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.

4

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 .