

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

REF NO: CM/1/22/L

LOCATION: 1-2 Kents Dairy Cottages
Brookpit Lane
Climping
BN17 5QU

PROPOSAL: Listed building consent to reconfigure study, kitchen & cloakroom, remove built in cupboards & restoration of a doorway between rear (East) kitchen & front (West) study to allow kitchen & utility set up; change location of cloakroom door; refitting of kitchen as utility room, reinstatement of traditional style ledge & brace doors) to replace hollow core flush hardboard doors on first floor bedrooms, bathrooms & airing cupboard; replacement of obsolete electric night storage dry air duct/vent fan heating system with wet central heating system & refit upstairs bathrooms.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Alterations to existing layout including reconfiguration of existing study to kitchen and kitchen to utility, removal of ground floor cupboard, replacement upstairs doors, removal of obsolete night storage heating system and replacement with wet central heating and refit of upstairs bathroom and proposed utility room.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Residential 1-2 Kents Dairy Cottages is Grade II Listed Building, which could date back as far as the C.17. It is two storeys with flint and brick elevations under a thatched roof, sitting in approximately 0.5 acre of grounds. It was originally a timber-framed building, the interior clearly displays this, and part of the rear wall survives within the present house. Much of the timber framing was later replaced by rubble with brick dressings, and the house was extended southwards to include an area which currently provides the kitchen.
CHARACTER OF LOCALITY	Residential/Rural.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - No harm to significance of heritage asset.

Whilst this is an extensive list, the works are all of a minor scale and intended to enhance the character and appearance of the building. It is positive to see that previous inappropriate alterations such as the replacement first floor doors are to be replaced with something more in keeping with the cottage. The relocation of the main kitchen to a more practical space, whilst also utilising existing openings seems logical and can be supported. Likewise, the proposed vents seem to be acceptable and design/colour and in terms of their locations.

I note that the section of the original rear wall which is currently hidden in the existing cupboards. I note that the statements associated with the application notes that "this wall is appropriately respected in the design and will not be adversely impacted. The proposal exposes sections of it which are currently obscured by built-in cupboards".

Whilst this is positive, I should point out that any works to the original timber work should be carefully undertaken. When I visited the property the owners were fully aware of this approach.

I believe that these works will have a positive impact upon the Listed Building and are acceptable.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside Built UP Area Boundary
2km Buffer Zone SSSI

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."

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

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.

Chapter 16 of the NPPF paragraphs 189, 192, 193 and 197 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and a balanced judgement should be taken, having regard to the scale of harm to the significance of the heritage asset.

Para 189 of the NPPF requires the LPA to requires the applicant to describe the significance of the heritage asset affected by a proposed development. As the retrospective works are to the modern fabric of the building there is no effect to the buildings significance. As identified by the conservation officer the work to the building are considered not to cause harm to the significance of the listed building.

As a result the works, the application must be determined in accordance with the relevant policies within the Development Plan. Although there is a significant amount of works occurring, they are generally small in scale . Within the method statement it has been noted that the removal of the ground floor cupboard will not cause physical harm to an original timber wall and it will actually expose it again, which is seen in a positive light. Again, on a positive note, more sympathetic door are being re introduced back into the building. Other works are to the modern fabric of the building then it is considered that the continued use as a private residence will protect the heritage asset in accordance with HER DM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

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 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 The making good of the building 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 building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF.
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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 presumption in favour of sustainable development, as set out within the National Planning Policy Framework.