

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

REF NO: FP/43/19/L

LOCATION: The Barn
104 Felpham Road
Felpham
PO22 7PL

PROPOSAL: Application for Listed Building Consent for alterations to form ground floor shower room

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Listed building consent for the internal alterations to form a new ensuite shower room at the ground floor.
SITE CHARACTERISTICS	The proposal property is a Grade II Listed building identified as The Barn situated on the south-eastern side of Felpham Road within the Felpham Village Conservation Area.
CHARACTER OF LOCALITY	Residential Area with an adjacent listed building to the south, the George Inn, at an obtuse angle on bend in road and another listed building No 101 on the opposite site of the road.

RELEVANT SITE HISTORY

FP/117/05/L	Application for Listed Building Consent for alterations and restoration including re-thatching	ApproveConditionally 10-08-05
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No comments.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Felpham Parish Council

Felpham Parish Council: No objection received from Felpham Parish Council.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Conservation Officer
Listed Building Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee: No objection received.

Conservation has a no objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

- Built up area boundary
- Grade II Listed Building
- Within Felpham Conservation Area.

DEVELOPMENT PLAN POLICES

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

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

[Felpham Neighbourhood Plan 2014 POLICY ESD7](#) Felpham conservation area

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Felpham Neighbourhood Plan 2014 POLICY ESD7 is relevant.

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 seeks Listed building consent for alterations to form a ground floor shower room. It will be necessary to consider the proposals against the relevant development plan policies which in this case would be HER DM1 of the Arun Local Plan and the National Planning Policy Framework.

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. Additional proposals should protect the setting of these buildings.

LISTED BUILDING AND HERITAGE

Paragraph 189 of the National Planning Policy Framework (NPPF) advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has submitted a heritage statement in support of the proposals which includes a description of the listed building and concludes that the proposals could be considered sympathetic to the listed building.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 193 that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

Paragraph 193 of the NPPF reflects the requirements of Section 66 (1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant permission the development which affects a listed building or its setting, the Local Planning Authority should have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The proposed internal alteration would involve the removal of a secondary stair flight and an introduction of partitions to enclose proposed shower room that would be formed with a timber frame which can be in

the future removed. The first floor opening would be boarded and the balustrade removed. The stair is believed to be a modern replacement and of no historic value.

Given the scale, a nature of the internal alteration and the way how it would be implemented it is considered, that the proposed works would protect the architectural and historical integrity and detailing of a Listed Building's interior and therefore they are considered to be acceptable.

SUMMARY

Following the comments from received by the Conservation Officer and the submission of revised drawings, it is considered that the proposal for an internal alteration of the Barn, Listed Building Grade II, would not have an adverse impact on its appearance, character or historic fabric, therefore the listed building consent should be granted.

HUMAN RIGHTS ACT

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:

Block and Location Plan
Plans as Existing and Proposed

Drawing 01
Drawing 02 revision A

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 INFORMATIVE: Property No 104 Felpham Road, 'The Barn' is listed as a Building of Special Architectural or Historic Interest and before any modifications or alterations, either externally or internally, which may affect its character as a Listed Building are carried out full details of the work shall be submitted to the Local Planning Authority in the form of an application for Listed Building Consent.