

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: BN/112/25/HH

LOCATION: Minstrels Barn
Church Lane
Barnham
PO22 0BX

PROPOSAL: Replacement windows, timber fence and gate to boundary on church lane. (This application may affect the character and appearance of the Church Lane, Barnham Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

BN/54/20/HH	Proposed single storey extension to courtyard area and changes to fenestration. This application affects the character and appearance of the Church Lane Conservation Area. The application affects the setting of a Listed Building.	ApproveConditionally 29-07-20
BN/22/15/NMA	Non material amendment following the grant of BN/31/13/ for removal of existing door in new kitchen & replace with a window & new folding door to span width of proposed kitchen.	ApproveConditionally 15-09-15
BN/31/13/	Raising height of lower roof to increase first floor accommodation & a single storey extension to courtyard area. This application affects the character and appearance of Barnham Conservation Area	ApproveConditionally 16-12-13
PAA/79/13/	Pre-application advice for single storey extension to courtyard, increase height of wing on Church Lane to 2 storey	Refuse Pre App 12-09-13
BN/32/07/	Demolish existing garden store workshop and rebuild	ApproveConditionally 29-10-07

BN/32/04/

Erection of a conservatory

ApproveConditionally
26-07-04**REPRESENTATIONS**

Barnham & Eastergate Parish Council - No objection.

Arun Conservation Area Advisory Panel - Objection.

The building, locally listed, is a prominent and attractive feature in the street scene and makes a distinctly positive contribution to the essentially rural character and appearance of the conservation area. The conversion of the original barn was carried out to a very high standard of design and detailing, including its fenestration, and was sympathetic with the agricultural origins and character of the structure, and indeed the locality. The works now proposed will compromise the fine, narrow, mullion spacings to the first floor gable end window on the northeast elevation and the ground floor windows on the northwest elevation, to the detriment of the agricultural appearance of the building and the character and appearance of the conservation area.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Lidsey Treatment Catchment.

Within an area with potentially high ground water.

Church Lane, Barnham Conservation Area.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
ENVDM5	ENV DM5 Development and biodiversity
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[Barnham and Eastergate Neighbourhood Plan 2019](#) Quality of design

[POLICY ES5](#)

Barnham and Eastergate Neighbourhood Plan 2019 Conserving and enhancing Non-designated
POLICY ES7 Heritage Assets

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a detached dwelling converted from a former barn. The building is locally listed and lies within the Barnham Conservation Area. This application seeks planning permission for replacement windows and new timber fencing and gates to the host dwelling's boundary on Church Lane.

The proposed development is sited within a rural residential area with a wide variety of detached dwellings of varying height and bulk. The design would be in keeping with the established varying character of the area and mixed street scene.

The proposed replacement windows on the southeast elevation would be visible to the street scene and would replace the three existing timber-framed, double glazed rooflight windows with like-for-like timber framed, double glazed units.

On the northeast elevation, the existing twelve-casement timber-framed, doubled glazed gable-end triangular window would be replaced with an eight-casement timber-framed, doubled glazed gable-end triangular window. This fenestration would be partially visible from the street scene.

The existing timber-framed, double glazed five rooflights on the northwest elevation would be replaced with five like-for-like timber framed, double glazed units that match the original fenestration in style, proportion, and materials. The ground floor fenestration would replace the four-casement timber-framed, doubled glazed window sets with two-casement timber-framed, double glazed window sets.

The proposed replacement fenestration would match the original fenestration in style, proportion, and materials. The Arun Local Plan, the Arun Design Guide (AGD) and Barnham and Eastergate Neighbourhood Plan (BENP) state that alterations to existing locally listed buildings are to be sensitively designed, constructed of appropriate materials and be sympathetic in scale, form, and detailing, and retain or emphasise the features and qualities of the existing buildings. The proposed replacement windows would not appear at odds with the wider character of the street scene and would be sensitive to the building and its setting and are therefore in accordance with the Arun Local Plan policy D DM1, the ADG and the BENP policies ES5 and ES7.

The proposed new timber fencing and gates would be sited along the front (southeast) elevation, comprising of a pair of five-bar timber gates and a split two rail oak fence, with a pedestrian gate to the side of the host dwelling, adjacent to the driveway.

The total width of the proposal would be approximately 12.4m and the approximate height would not exceed 1.1m allowing for changes in the height of the terrain. The proposed side pedestrian gate would have an approximate height of 1m and the proposed pair of gates would have an approximate height of 0.9m and an approximate width of 3.6m.

The proposed new fencing and gates design would be in keeping with surrounding boundary treatments

of other dwellings on Church Lane and within the rural agricultural style found within the conservation area. The fencing would not appear at odds with the wider character of the street scene and would be sensitive to the building and its setting. Therefore, the proposal is in accordance with the Arun Local Plan policy D DM1, the ADG and the BENP policies ES5 and ES7.

NEIGHBOURING RESIDENTIAL AMENITY

The proposal to replace fenestration on the northeast, northwest and southeast elevations would be in the same location as existing fenestration of the same size and scale and therefore there would be no increase in overbearing, overshadowing, or overlooking effects on nearby dwellings.

The proposed new timber fencing and gates would be sited on the front (southeast) elevation set back approximately 2.7m from the eastern boundary. It is noted that the proposed works should look to preserve the character of the Church Lane, Barnham Conservation Area. Given the prevalence of similar front boundary fencing and gates on neighbouring and surrounding properties, the proposed fencing and gates would not appear at odds with the wider character of the street scene and would be sensitive to the building and its setting. There would be no overlooking effects from the proposal.

Therefore, the proposal would not result in harm to neighbouring residential amenity by way of overbearing, overshadowing, or overlooking. The proposed development is therefore in accordance with Arun Local Plan policy D DM1, the ADG and the BENP policies ES5 and ES7.

HERITAGE

The host property is sited within a conservation area and is a locally listed building, within close proximity of other listed properties, so the proposal needs consideration under Arun Local Plan policies HER DM2, HER DM3 and HER SP1 and the National Planning Framework (NPPF).

Paragraph 207 of the NPPF (2024), states when determining any planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. A heritage statement was submitted with the application outlining the mitigation measures proposed to avoid harm to the host dwelling and surrounding area with the use of like-for-like materials.

Paragraph 212 of the NPPF (2024), states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 216 of the NPPF (2024), states that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed replacement fenestration would replace existing timber framed, double glazed units with new like-for-like timber framed, double glazed units that match the original fenestration style, proportion, and material and would therefore not cause any harm to the locally listed building or conservation area. The conservation officer was consulted and raised no objection.

It is noted that the Arun Conservation Area Advisory Panel raised concerns that the proposal could compromise the fenestration features to the detriment of the appearance and character of the agricultural

building and conservation area. However, the proposal would be constructed using appropriate sympathetic like-for like materials, in scale and detailing, to retain the agricultural features of the existing building. On balance, the proposal would be sensitive to the building and its setting and is therefore acceptable.

The proposed new timber fencing and gates would be appropriately sited within the host dwelling's curtilage and would be suitable in design, form, scale, colour, and appearance. Given the occurrence of similar front boundary fencing and gates on neighbouring and surrounding properties the proposal would not materially affect the character or appearance of the conservation area, the locally listed host dwelling, or nearby listed buildings. It would be sensitive to the host dwelling and its setting and would not result in harm to the setting of a conservation area. The proposed development is in accordance with Arun Local Plan policies HER DM2, HER DM3 and HER SP1, and the NPPF.

LIDSEY TREATMENT CATCHMENT AREA

The site is in the Lidsey Local Flood Risk Zone, where the management of surface water drainage is a consideration in reducing flood risk in the locality. The replacement windows and new timber fencing and gates would not alter the footprint of the building, and as such, the proposed development would not increase the risk of flooding elsewhere and is acceptable in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

BIODIVERSITY

Arun Local Plan policy ENV DM5 requires all developments to achieve a net gain in biodiversity. This application is seeking permission for the replacement of windows and new timber fencing and gates. The proposed timber fence and gate would be over existing gravel driveway and a suburban grassed area, and therefore, a condition to secure enhancements relating to this biodiversity component is not required in this case.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

1. Plans and Elevations 002a.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.
- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.