

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

REF NO: BN/127/25/HH

LOCATION: Barnham Court
Church Lane
Barnham
PO22 0BP

PROPOSAL: Alterations to boundary treatments and internal alterations. (This application may affect the character and appearance of the Church Lane Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks planning permission for alterations to boundary treatments and internal alterations.
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REPRESENTATIONS

Barnham and Eastergate Parish Council - No objection.

Conservation Area Advisory Panel - No objection.

- There appears to be little difference in the appearance of the proposed boundary treatments compared with the existing, and there will be no harm to the character and appearance of the conservation area.

No representations were received from neighbouring occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

HISTORIC ENGLAND

- Barnham Court is an exceptionally important grade I listed building and a leading example of Artisan Mannerism.

- While several proposed works are acceptable in principle, some elements - such as the removal of the secondary staircase, the lowering of the link-area floor and removal or relocation of historic floor finishes - risk harming historic fabric and compromising legibility of historic circulation patterns and planforms.

- In order to be able to properly assess the harm to significance and justify the changes, further information and clarification are required: evidence of the staircase's origin; sectional drawings of the link to understand the potential impact of the proposed floor-level changes; and justification for the proposed alterations to existing floor finishes at ground floor level.

- In addition, as requested previously, a complete Heritage Impact Assessment - proportionate to the exceptional importance of this grade I asset - should be provided, as required by paragraph 207 of the NPPF.

CONSERVATION OFFICER

- Barnham Court is one of a few surviving and intact Artisan Mannerist buildings and possesses significant architectural and historic interest.

- The application seeks consent for a variety of internal alterations, several of which have now been removed from the proposal following a site meeting undertaken with the architects and the Historic Buildings Advisor.
- The amendments have resolved all previously contentious or problematic elements, leaving only those works that are considered acceptable in principle. While the remaining elements are acceptable, further information is required on a number of specific matters, and this can appropriately be secured by condition.
- It would also be helpful to confirm that the existing floor tiles in the kitchen are to be lifted, retained and re-laid as part of the works.
- The installation of traditional estate-style fencing within the front garden and access drive would be set back from the existing low brick and flint boundary walls. The proposals would have a neutral impact and are therefore acceptable.
- The replacement of the existing close boarded fencing on a like-for-like basis is acceptable.
- The application is considered to not cause harm to the significance of the heritage assets.

Comments on consultation responses: Following comments from Historic England, proposals for the removal of the secondary staircase and the lowering of the link-area floor have been removed from the application. An additional Historic Buildings Report has been provided, which provides further justification for other aspects of the application.

Following the conservation officer comments, the applicant has confirmed that the kitchen floor tiles would be lifted, retained and then re-laid. The conditions requested by the conservation officer have been attached to the listed building consent which accompanies this permission.

POLICY CONTEXT

Designation applicable to site:

Grade I Listed Building

Church Lane, Barnham Conservation Area

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

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 application proposes replacement boundary treatments and internal alterations. The only aspect of the proposal which would affect the appearance of the site on the exterior would be the proposed boundary treatments. The proposed estate style fencing would not be easily visible from the public realm due to the position of the fencing behind the existing boundary treatments and the dense vegetation in some areas. The proposed close board fencing would be a like-for-like replacement of existing fencing in this location. The proposed fencing would not have any significant impact on the visual amenity or character of the property or the wider area, and the proposals are in accordance with Arun Local Plan (ALP) D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed boundary treatments are located away from neighbouring properties and will not impact neighbouring residential amenity. The remainder of the proposal relate to internal works. The proposals are in accordance with ALP policy D DM1 and D DM4.

HERITAGE

Barnham Court is a grade I listed building which is of exceptional architectural and historic interest as one of a few surviving and intact Artisan Mannerist buildings. The site is also within the Church Lane, Barnham Conservation Area.

The Historic England comments on the application raised several concerns about some aspects of the internal works which were proposed, and the level of justification. Areas of particular concern were the removal of the secondary staircase, the lowering of the link-area floor and removal or relocation of historic floor finishes. Following these comments, amendments have been made to the proposals, which remove the most problematic elements from the current application. A further Historic Building Report has also been received which provides further justification for the proposals.

The Conservation Officer comments, which were received following the revisions to the application indicate that the amendments have resolved the concerns with the application. Although the works are acceptable in principle, further information is required on several of the elements and a series of conditions have been requested to ensure that the proposed works do not result in harm to the listed building. These have been attached to the listed building consent which accompanies this permission.

The proposals do not result in harm to the significance of the listed building or the conservation area, and are in accordance with ALP policies HER DM1, HER DM3 and the NPPF.

SUMMARY

The proposals are in accordance with the relevant development plan policies and are 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 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 and documents:

- Location plan 00
- Block plan 01
- Proposed Site Plan 22
- Proposed Basement Plan 10
- Proposed Ground Floor Plan 11 3C
- Proposed First Floor Plan 12 3C
- Proposed Second Floor Plan 13
- Proposed Opening Up Works Basement Plan A7.10 3B
- Proposed Opening Up Works Ground Floor Plan A7.11 3B
- Proposed Opening Up Works First Floor Plan A7.12 3B
- Proposed Opening Up Works Second Floor Plan A7.13 3B
- Historic Building Report

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy HER DM1 and HER DM3.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.