

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

REF NO: BN/128/25/L

LOCATION: Barnham Court
Church Lane
Barnham
PO22 0BP

PROPOSAL: Listed building consent for alterations to boundary treatments and internal alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks listed building consent for alterations to boundary treatments and internal alterations.
SITE CHARACTERISTICS	The site is an unusual mid C17 house in the style of Kew Palace and Broome Park, Kent. The property has three storeys with five windows and is constructed in red brick. There is a brick cornice above the ground floor, and another heavier one with modillions above the first floor. Each window bay on ground and first floors is flanked by brick pilasters. It has three shaped Dutch gables and a tiled roof, along with sash windows with glazing bars. There are also C19 additions to the lower elevation to the south.
CHARACTER OF LOCALITY	The Church Road, Barnham Conservation Area is focused on the original medieval settlement of Barnham, lying to the south of the principal village. Surrounded by agricultural land, the conservation area has a distinctive rural character with buildings of various styles, ages and materials, principally brick, flint, plain clay tiles and natural slate.

RELEVANT SITE HISTORY

BN/62/20/HH	Construction of a garage space and Gardener's Shed. This application may affect the setting of a Listed Building & may affect the character and appearance of the Church Lane Conservation Area.	ApproveConditionally 26-08-20
BN/96/19/L	Listed building consent for the removal of collapsed West greenhouse & planned removal of unsafe South greenhouse; replaced with orangeries in style of Anglo Dutch design & 17th century vernacular.	ApproveConditionally 21-02-20

BN/99/19/HH	Erection of a trellis (existing), 1 x vehicular gate (existing), 1 x pedestrian gate (existing), 2 x vegetal pergolas and vehicular gates at both entrances to property. This application may affect the setting of a listed building. This application affects the character and appearance of the Church Lane Conservation Area.	ApproveConditionally 21-02-20
BN/2/19/L	Listed building consent for an extract vent to kitchen.	ApproveConditionally 01-04-19

Planning history noted.

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.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

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:

Comments noted. 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 have been attached.

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

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, The South Inshore & South Offshore Marine Plan 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."

Where the building is located in a Conservation Area, Section 72(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 I Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

This application concerns internal alterations to the dwelling and alterations to boundary treatment. The key policies are Arun Local Plan (ALP) policy HER DM1 which relates to listed buildings, stating that proposals must protect, preserve and if possible, enhance the historic character and integrity of the building and its setting, and the heritage policies within the NPPF.

The NPPF (2024) sets out several steps when considering impacts on heritage assets. Paragraph 207 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. The applicant has submitted heritage information to fulfil this requirement, however the Historic England (HE) comments indicated that the level of information contained within the Statement of Significance and Design and Access Statement, and in particular their assessment of the significance of the building, was not sufficient. An extended Historic Building Report has now been received which provides further information to address this. In addition, in this instance, the LPA's understanding of the significance of the asset has benefitted from a detailed site visit, which has enabled an informed decision to be taken on the application. Paragraph 208 requires the Local Planning Authority to identify the significance of the heritage asset affected by a development. 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. A brief summary of its architectural features is set out above.

Paragraph 212 states that 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. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. The application is for internal works, plus alterations to boundary treatments. The proposed boundary treatment alterations are acceptable, and comments from HE and the conservation officer indicate that these aspects do not harm the significance of the listed building.

The HE 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. The works to the secondary staircase and lowering the link-area floor have now been removed from the application. Further information and justification has been received regarding the work to the kitchen floor, and is contained within the Historic Building Report.

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 this consent.

Subject to the details which have been required via condition, the proposals would result in no harm significance of the heritage asset in accordance with ALP policy HER DM1, and the NPPF.

SUMMARY

The proposal is in accordance with the relevant Development Plan policies and the NPPF and as such, it 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.

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 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.

- 3 Prior to works involving the introduction of new services or the alteration of existing services, full details of all existing and proposed services, including routing, containment, and relocation, will be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 4 Prior to the commencement of works affecting room F.09 (as shown on Proposed First Floor Plan 12 3C), a method statement and detailed drawings showing how all existing panelling will be protected, altered, or reinstated during the proposed works shall be) will be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 5 Prior to the removal of the radiator boxing and associated joinery, details of how all existing panelling, skirting boards, and wall surfaces behind the modern radiator boxing will be treated once the boxing is removed will be submitted to and approved in writing by the Local Planning Authority. This must include written methodologies as well as drawings at an appropriate scale such 1:10, with 1:5 or 1:1 details where appropriate. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 6 Prior to their insertion, full details of all new joinery, including doors, architraves, skirtings, and mouldings, with drawings at a minimum scale of 1:10 will be submitted to and approved in writing by the Local Planning Authority. This must include detailed drawings and specifications for all replacement doors and architraves, including elevations, profiles, materials, and finishes. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 7 Prior to the introduction of any new insulation, details of the insulation, including location, type, depth, and method of installation, with demonstration of how breathability and ventilation will be maintained, will be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 8 Should such works become necessary, details of any structural repairs to brickwork, including

methodology and materials, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any such structural repairs. Any repairs shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 9 Prior to commencement of works relating to the kitchen flue vent, details of the new kitchen vent and the method of installation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Size and design of vent
- Method of installing the new opening
- Method and materials for infilling and finishing the existing flue opening (e.g. render type, brickwork, or other finish).

Any repairs shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 10 Prior to the commencement of works to close the opening between rooms S.02 and S.03 (Proposed Second Floor Plan 13 3A), Details of how the opening will be closed up, including construction, materials, finishes, and junction details shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any such structural repairs. Any repairs shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 11 Prior to the commencement of any works involving the removal, repair, or reinstatement of plaster, including the installation of new lath and plaster, details of the proposed method for plaster removal and plaster specification shall be submitted to and approved in writing by the Local Planning Authority. Any repairs shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural character and appearance of the buildings in accordance with HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 12 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 Arun Local Plan policy HER DM1 and the NPPF.

- 13 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 Arun Local Plan policy HER DM1 and the NPPF.