

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

REF NO: BN/54/20/HH

LOCATION: Minstrels Barn
Church Lane
Barnham
PO22 0BX

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a single storey extension to the side of the extension and addition of dormers to the front elevation and alterations to the windows.

RELEVANT SITE HISTORY

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
BN/32/04/	Erection of a conservatory	ApproveConditionally 26-07-04

REPRESENTATIONS

No objection.

No representation received from nearby occupiers.

Conservation Area Advisory Committee - Objection

-The replacement windows provide a more domestic appearance and negatively impact the

Conservation Area.

- Further dormers will impact the street scene.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Outside built up area boundary

Conservation Area

Locally Listed Building

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[Barnham & Eastergate Neighbourhood Plan 2014](#) Development affecting heritage assets

[POLICY ES7](#)

Barnham & Eastergate Neighbourhood Plan 2014 Quality of design
POLICY ES5

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application site is outside of the built up area boundary defined by SD SP2 of the Arun Local Plan. The proposal is for extensions and alterations to a building in the plot of a dwelling. The proposal is in accordance with C SP1 of the Local Plan, as it is in accordance with D DM4 of this plan. Development can be in accordance with C SP1 if it refers to a specific use or type of development that is covered by another policy. In this case, the key policy considerations are deemed to be D DM1 & D DM4 of the Arun Local Plan.

Barnham and Eastergate have a Neighbourhood Plan with policy ES5 and ES7 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMENITY

The dwelling was converted from a barn and is situated to the road frontage. An application was approved in 2013 with the works predominately the same as that which has been approved.

The proposal seeks amendments to the front of the building including the addition of dormers and alterations of windows and this element will be visible from the street scene. There will also be an extension which is to the rear/side of the property, although not visible.

The existing dwelling has 3 small pitched dormer projections to the east side of the property. There will be 2 additional dormers to the west side of the property to match existing. Whilst these front the street scene they are minor in size being triangular in shape. The dormers are not considered to appear unduly dominant or out of character, with the features matching those which are already present on the dwelling and visible from the street scene.

The windows including those to the principle elevation will also be replaced, however will remain of timber material which is appropriate to the design of the existing dwelling and area.

The sun room whilst not visible from the street scene will be finished with flint and clay tiles to match the host dwelling. This will also ensure it appears appropriate to its surroundings.

The proposal will result in minor alterations to the external appearance of the dwelling however the changes are not considered to result in an adverse impact upon the spatial pattern or character of the area and accord with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposal will construct a sun room to the southern elevation. This will have a depth of around 3m with a lean to roof and is located between gable projections to the west and south east. It will have a height of around 3.2m, set just below the eaves of the host dwelling.

The sun room will look towards the neighbouring property at No.10 however 10m is retained to the boundary. Due to the siting of the sunroom it is not considered to appear overbearing or overshadowing. There are no windows to neighbouring elevations and as a result of its siting, the addition is not considered to give rise to adverse overlooking additional to that which can already be achieved by standing in the existing courtyard.

There will be a larger dormer window to the roof slope facing the rear of the property and as such it is not considered to give rise to adverse overlooking with no neighbouring properties to the rear. Additional windows to the front will overlook the street scene.

Due to the siting and design, the proposal is not considered to result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

HERITAGE ASSETS

The property is locally listed and located within close proximity of other Listed properties within a Conservation Area.

It is necessary to consider guidance in the NPPF which sets out several steps when considering impact on heritage assets. Para 189 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 190 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. 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'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as

set out in paras 193-196). In this case there is less than substantial harm identified.

The proposal will alter the appearance of the dwelling on the street scene however this is minor in nature. Additional dormers will match that which already front the street scene and as such it is not considered to construct features which are not already present on the dwelling. They are also minor in size. The proposal will also replace the windows although these again are timber and considered appropriate to the area.

Whilst dormers are not common features on barns and should be kept to a minimum, an application was previously approved under BN/31/13 for the similar works to the proposed which included the addition of dormers and windows which front the street scene. It is accepted the impact upon the heritage asset was taken into account when dealing with the previously approved scheme and considered acceptable. Therefore, it is considered unreasonable to refuse on this ground in the current application.

The remaining development is not visible from the wider area and as such not considered to impact upon the area. The proposal has limited impact on the significance of the heritage assets as a result of the minor alteration proposed and the use of similar materials

Where the building is located in a Conservation Area, Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 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 of the Conservation Area. The proposal is considered to accord with HERDM3 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan 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 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
- Location and Block Plan - 13062/102
 - Proposed Plans - 13062/101

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:** 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.