

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Our Ref: PLAN 1240
27 August 2019

Dear Mr Vick

Applicant: Mr B Forse
Site: Barnham Court Farm, Barnham PO22 0BP
Proposal: Section 73 - Removal of Condition 3 of BN/14/00

Please find enclosed a completed electronic application for the above proposal. In addition to this letter, the application submission includes the following:

- Completed electronic application form with Certificate A
- Site Location Plan – 1:1250
- Block Plan – 1:500
- Existing Floor Plan
- Arun Biodiversity Checklist
- Validation Requirement Checklist

The applicant has made a payment of £234 via the planning portal payment system.

Proposal

The application relates to a previously approved farm diversification scheme relating to Barnham Court Farm. This approved the following development under application reference BN/14/00:

Description of Development:

Part one farm diversification plan: part conversion of existing farm building together with additions thereto to provide 2 holiday accommodation units. Conversion of farm building for residential occupation by an Anchorite Monk

The proposal relates to the property now known as Anchorhold, which was resided in by an Anchorite Monk, Brother John Mercer. The permission was personal to Brother John Mercer, or to another Anchorite Monk nominated by a recognised religious denomination, which was controlled by Condition 3 of the above approval. The Condition goes on to state that upon vacation of the residential accommodation, the building must be returned to another use or other use as agreed by the Council. Condition 3 reads as follows:

Henry Adams LLP, Rowan House, Baffins Lane, Chichester, West Sussex PO19 1UA

Sales ► Lettings ► Commercial ► Rural ► Development ► Fine Art

Henry Adams LLP is a limited liability partnership registered in England and Wales. No. OC308996. VAT No. 846 2465 12.
A list of our members and partners is available for inspection at our registered office at Rowan House, Baffins Lane, Chichester PO19 1UA.
Regulated by the RICS (Royal Institution of Chartered Surveyors).

Condition 3

The residential accommodation for an Anchorite Monk indicated on the plans hereby approved shall only be occupied by Brother John Mercer or another Anchorite Monk nominated by a recognised religious denomination and agreed in writing by the Local Planning Authority. Upon vacation of the residential accommodation by the Anchorite Monk the residential use shall cease and the accommodation shall be used as a farm office or other use granted planning permission by the Local Planning Authority on an application in that behalf.

Reason: Permission would not normally be granted for residential accommodation in this location but in granting permission exceptionally the Local Planning Authority have had regard to the particular circumstances relating to the proposal

Permission is sought to remove this Condition as the building has been converted to a residential use and there is no requirement for additional farm office space to serve the existing farm.

No external or internal changes are required to the building, which comprises a 1 bedroom dwelling. The dwelling has a floorspace of 46.2 square metres, exceeding 39 square metres, which comprises the guidance contained within the National Space Standards for a 1 bedroom, 1 person single storey dwelling.

Legislative background and planning policy advice

The main powers relating to local planning authority use of conditions are set out in Schedule 5 of the Town and Country Planning Act 1990. Section 70(1)(a) of the Act enables the local planning authority in granting planning permission to impose “such conditions as they think fit”. This power must be interpreted in light of material factors such as the National Planning Policy Framework, National Planning Practice Guidance (NPPG) on the use of conditions, and relevant case law.

Paragraph 54 of the National Planning Policy Framework states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.

The NPPG sets out that the 6 tests must all be satisfied each time a decision to grant planning permission subject to conditions is made. The NPPG sets out further guidance regarding each of the above condition tests, and this guidance is considered in the assessment below.

Planning Considerations

The proposal seeks permission for the continued use of the building known as Anchorhold as a residential dwelling. The building was originally granted consent for residential use, but occupation was restricted to that of an Anchorite Monk or for a use agreed in consultation with the Council.

Should an alternate use not be agreed, Condition 3 of the original approval requires the use of the building to revert to a farm office.

As set out above, permission is sought to remove this condition to ensure continued use of Anchorhold as a residential dwelling. There is no requirement for additional office space at Barnham Court Farm, therefore, its best use is considered to be its continued use as a residential dwelling.

The site is located outside of the defined settlement boundary, wherein development proposals are restricted to forms of development expressly supported under Policy C SP1. Where proposals do not fall within these definitions, development will only be supported in accordance with other policies within the Local Plan. It is considered that Policy H DM4 would be relevant to this application, although this relates to proposals to convert a building, not a retention of a residential use.

A review of the Barnham and Eastergate Neighbourhood Plan does not highlight any other relevant policies. The NPPF also provides limited advice regarding the conversion of buildings, with paragraph 79 stating that planning policies and decisions should avoid the development of isolated homes in the countryside unless, inter-alia, the development would re-use redundant or disused buildings and enhance its immediate setting.

Paragraph 148 goes on to state that *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*

Whilst there is limited policy reference to a continued, unrestricted residential use of a building within the countryside, it is considered that the NPPF would support the use of the building. In addition, the Council has a pressing need for housing across the borough and therefore a 1 bedroom unit would help, in small way, to meet the local housing need and would make best use of an existing residential building.

The proposal to remove Condition 3 would not alter the character and appearance of the building, nor would it would result in an intensification of use of the site as it would remain as a 1 bedroom dwelling. The parking provision forward of the dwelling and private amenity / garden area would also be retained as part of the curtilage.

As such, it is felt that the removal of condition is appropriate and would provide an unrestricted open market dwelling without harm to the character and appearance of the surrounding countryside.

I hope that the submission is in order and I will look forward to receiving confirmation that the application is valid, however, should you require any further information; please do contact me on the number below.



Kind regards.

Yours sincerely



Peter Cleveland MRTPI
Head of Planning
Henry Adams LLP