

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

REF NO: BN/86/26/L

LOCATION: Barnham Court
Church Lane
Barnham
PO22 0BP

PROPOSAL: Listed building consent for replacement of existing pond with new and associated landscape works. This application may affect the character and appearance of the Church Lane, Barnham Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
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/128/25/L	Listed building consent for alterations to boundary treatments and internal alterations.	ApproveConditionally 17-03-26
-------------	--	----------------------------------

Planning history noted.

REPRESENTATIONS

Barnham & Eastergate Parish Council - No objection.

Arun Conservation Area Advisory Panel- No objection.

No representations were received from neighbouring occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Drainage Engineers- No objection subject to a pre-commencement condition.

Historic England - No advice offered.

CONSERVATION OFFICER-

The proposed development consists of adapting the existing lake. Whilst its location and footprint wont substantially alter, it also includes engineering works to enable the lake to function as part of a water source heat pump system, providing renewable energy to the property.

The concept of improving the existing lake and introducing improved planting is positive. It will help to enhance the grounds and setting of the listed building. The maintenance of the more informal landscape is also positive.

The heritage statement identifies that the proposals do not involve physical alteration to the fabric of Barnham Court. However, it also states that the installation of associated below-ground infrastructure is required. It is not clear what this would look like or involve. It is assumed that there would be a need to be some form of infrastructure or pipework and cabling between the pond and any associated apparatus and the house. It is not clear what this would look like, what route it would take, nor, if any new openings are required to install this into the house - which could potentially impact upon historic fabric. Please can this information be provided so that a full assessment may be undertaken.

Conclusion

Further information is required in order for me to be able to fully assess the impact of the proposals.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

The installation of a heat pump with a collector located at the base of the pond and associated works have been removed from the application following discussions with the applicant. Advice has been provided regarding the requirements for any future application, and the current proposal is therefore limited to works associated with the pond only. Pre-commencement condition related to drainage matters is attached to the householder application.

POLICY CONTEXT

Grade I Listed Building.

Church Lane, Barnham Conservation Area.

Within an area with potentially high ground water.

Lidsey Treatment Catchment.

Outside Built-Up Area.
Archaeological Notification Areas.
Flood Zone 2.

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings
HERSP1 HER SP1 The Historic Environment

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."

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.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

The application seeks Listed Building Consent for the replacement of the existing pond with a new pond of reduced size.

The existing pond is situated to the north-west of the host dwelling and would be replaced within the footprint of the existing lake. The proposal includes the introduction of a lined pond with re-profiled internal banks, ranging between approximately 1:3 and 1:5 gradients below water level, creating a softer transition at the pond edges. The scheme also incorporates cultivation and seeding works together with aquatic planting intended to enhance biodiversity and promote wildlife.

The key policy considerations are Arun Local Plan (ALP) policies HER DM1 and HER SP1, together with the National Planning Policy Framework (NPPF), which relate to development affecting listed buildings. These policies require that development must protect, preserve and, where possible, enhance the historic character, integrity and setting of designated heritage assets.

Policy HE5 of the NPPF (2026) states that development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The Applicant has submitted a comprehensive Design & Access and Heritage Statement, which adequately addresses this requirement.

Policy HE6 of the NPPF (2026) states when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Policy HE9 of the NPPF (2026) states development proposals within or affecting the significance of conservation areas should retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

Following comments from the Council's Conservation Officer, the proposal has been amended to include pond works only. As such the proposed works are confined to the existing pond located within the wider grounds of the property and do not involve any alterations to the listed building or its historic fabric. The pond is situated at a considerable distance from the principal building, and the proposal would result in the reduction of its size together with the introduction of additional aquatic planting and habitat enhancements. These measures would maintain and enhance the landscaped character of the grounds without adversely affecting the appreciation, setting, or significance of the listed building.

The proposal would preserve the significance of the listed building and the conservation area, and is in accordance with ALP policies HER SP1, HER DM1, HER DM3 and the NPPF(2026).

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 A1.00 Rev 3A
- Proposed Site Plan A3.01 Rev 3A
- Tree Protection Plan May 2026
- Lake Design W25-017-001 Rev A

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