

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

REF NO: BN/96/19/L

LOCATION: Barnham Court
Church Lane
Barnham
PO22 0BP

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Removal of West Greenhouse which was adjacent to the laundry room (retrospective) and removal of an South Greenhouse (planned) to be replaced with Orangeries in Anglo Dutch style. Existing footprint would be maintained.
SITE AREA	74.4 square metres
TOPOGRAPHY	Predominantly flat, sloping down along the southern boundary.
BOUNDARY TREATMENT	Low level cement block walls to the south east (built recently without planning/listed building consent), flint wall with trellis on the northern side of a private drive, approximately 2m high hedgerow along Church Lane, timber panel fence with trellis on the top along the boundary with the site of St Mary's Church and an approximately 1.5m high flint wall along the south-western boundary.
SITE CHARACTERISTICS	Barnham Court is a Grade 1 listed three storey Gentleman's house dating from the seventeenth century in the Artisan Mannerist style located close to the parish church on the south-western edge of the village, set well back from Church Lane approachable via a private drive. It is sited within a considerably spacious plot surrounded by mature trees.
CHARACTER OF LOCALITY	Semi-rural location on the southern boundary of the Conservation Area Church Lane lying to the south of Barnham surrounded by agricultural land. The setting to Barnham Court is also part of the setting to the Grade 1 listed Church of St Mary and the Grade II listed building known as Barnham Court Lodge.

RELEVANT SITE HISTORY

BN/99/19/HH	Erection of a trellis (existing), 1 x vehicular gate (existing), 1 x pedestrian gate (existing), 2 x vegetal
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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.

BN/2/19/L	Listed building consent for an extract vent to kitchen.	ApproveConditionally 01-04-19
BN/2/06/L	Application for Listed Building Consent for a new boiler room on the site of the old derelict boiler room and removal of wood partition in hall room	Approved by DCLG 03-04-06

Noted

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer
Historic England

CONSULTATION RESPONSES RECEIVED:

Historic England: No comments.

Arun District Conservation Area Advisory Panel: no objection.

Conservation Officer comments:

Barnham Court is one of a few surviving and intact Artisan Mannerist buildings that possesses significant architectural and historic interest. It is described as being an unusual mid C17 house in the style of Kew Palace and Broome Park, Kent. It is three storeys with five windows and constructed in red brick. There is a brick cornice above 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. Rusticated brick doorway with triglyph frieze and pediment. There are also C19 additions of lower elevation to the south.

The Listed Building is also located within the Barnham Conservation Area. The Conservation Area includes the original medieval settlement of Barnham, lying to the south of the principal village. It is surrounded by agricultural land, and as a consequence it has a distinctive rural character with buildings of various styles, ages and materials; principally brick, flint, plain clay tiles and natural slate.

An informal pattern of development enhances the rural character, together with mature planting, flint boundary walling and grass verges. It is of aesthetic (fortuitous) significance.

The Proposal

The consent seeks approval for the removal of a collapsed West Greenhouse along with the planned removal of an unsafe South Greenhouse. These structures will be replaced with Orangeries in the style of Anglo Dutch design/17th century vernacular.

It is noted from the submitted plans that the proposal will maintain all of the existing walls (both internal and external) for the garage building that the orangeries will be attached to. My comments are provided on this basis. Any alterations to these walls will require listed building consent.

The existing glasshouse is not considered to be of any great significance and the removal of this structure is therefore not considered to harm the significance of the listed building.

It is noted that the applicants consider that the replacement structures would be more reflective of the style and use of the building as a 'country retreat'. Such structures were apparently a common feature of 17th Century built Anglo Dutch country houses (such as Kew Palace, etc). Having reviewed the information supplied it is considered that this approach is acceptable as the new structures will reflect the main listed building and therefore be appropriate for it. Likewise, the location of the orangeries is such that they will not be harm the established character of the conservation area.

Whilst it is noted that plans have been provided, it is considered that due to the listing status of the building, that further information should be required should consent be approved.

It is not clear how the western orangery will join up to the existing single storey laundry structure, especially with regards to the existing roof structure and associated rainwater goods. Details of this junction should be provided to the council at an appropriate scale.

It is also noted that the proposed plans indicate a new door opening from the existing garage/service building into the western orangery. However, it is not clear if this opening currently existing or not.

Detailed drawings of all the joinery including the doors and oak timber posts with Doric columns should also be provided along with details of the proposed colour. Whilst this might be the same as existing elsewhere, it would help to have the actual colour name/reference no. on file. Drawings should be provided at an appropriate scale and provide details of the glazing/glazing bars.

Conclusion

Subject to the supply of additional information (by way of condition), it is considered that the proposal does not cause harm to the significance of the heritage assets or its/their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments

The contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) will also need to be taken into account.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The pre-commencement condition will be imposed to the Listed Building Consent.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area

Listed Building Grade I

Conservation Area Church Lane, Barnham

Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

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

[POLICY ES7](#)**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 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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policy ES7 of the Barnham & Eastergate Neighbourhood Plan 2014 is relevant.

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 71(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 does not cause harm to the significance of the heritage assets or its setting and 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

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application seeks Listed building consent for the removal of West Greenhouse which was adjacent to the laundry room (retrospective) and removal of an existing South Greenhouse to be replaced with Orangeries in style of Anglo Dutch design. It will be necessary to consider the proposals against the relevant development plan policies which in this case would be HER SP1, HER DM1 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

HER SP1 affirms that the Local Planning Authority will encourage the re-use of vacant or underuse Listed Buildings by approving proposals that contribute positively to their conservation.

HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additional proposals should protect the setting of these buildings.

HER DM3 states that in order to preserve or enhance the character or appearance of the Conservation Area, alteration or additions to existing buildings are sensitively designed, constructed of appropriate materials and are sympathetic in scale, form and detailing and retain or emphasise the features and qualities of the existing buildings.

LISTED BUILDING AND HERITAGE

Paragraph 189 of the National Planning Policy Framework (NPPF) advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has submitted a heritage statement in support of the proposals which includes a description of the listed building and its setting.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 193 that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

Paragraph 193 of the NPPF reflects the requirements of Section 16(2) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant listed building consent for any works, the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The proposal would involve the removal of a dilapidated greenhouse attached to the south-eastern elevation of stable/garage building and its replacement and replacement of previously removed south-western conservatory with orangeries of the sub-Classical style of the main frontage of Barnham Court. This Listed Building Consent is for an erection of two orangeries; south-eastern arranged by 8 double and 1 single French door with an indicating roofline concealed behind parapet detail and it would be made from using single pane glass with treated pine. The south-western orangery would be arranged by 7 double French doors of the same materials and features as south-eastern. This would exclude any demolition of an existing wall of stable/garage building.

Given the scale, a nature and position of the proposal it is considered, that the proposed works would protect the architectural and historical integrity and detailing of a Listed Building and therefore they are considered to be acceptable.

SUMMARY

Following the comments of the Conservation Officer it is considered that the proposal would not cause harm to the significance of the heritage assets or its/their setting therefore the listed building consent should be granted subject to conditions.

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 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:

Dwg No. 169-12 Rev b, Orangery's Proposed
 Dwg No. 169-09 Rev g, South Orangery Proposed
 Dwg No. 169-10 Rev g, West Orangery Proposed

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 No development shall commence until detailed drawings showing how the western orangery will join up to the existing single storey laundry structure, especially with regards to the existing roof structure and associated rainwater goods, have been submitted to and approved by the Local Planning Authority. Details of this junction should be provided at the scale of 1:20.

Reason: To enable the Local Planning Authority to exercise the necessary statutory control over works likely to affect the character of the Listed Building in accordance with policies HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

- 4 No development shall commence until detailed drawings of all the joinery including the doors and oak timber posts with Doric columns and a new door from the opening from the existing garage/service building into the western orangery along with details of the proposed colour have been submitted to and approved by the Local Planning Authority. Drawings should be provided at an appropriate scale and provide details of the glazing/glazing bars.

Reason: To enable the Local Planning Authority to exercise the necessary statutory control over works likely to affect the character of the Listed Building in accordance with policies HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.