

HERITAGE STATEMENT

FOR

NEW PADEL COURT WITH LEGACY PLANTING PLAN TO INCLUDE AN ORCHARD AND REPLACEMENT PLANTING BEDS

AT

SPATHAM FARM COTTAGE SPATHAM LANE WESTMESTON

PREAMBLE

This application seeks consent to build a new Padel Court within land owned by the owners and occupiers of the host property.

The court is for the exclusive use of the owners and occupiers

The site of the court has been used as a vegetable garden by the owners for some significant time and this use is to continue by creating new raised beds.

Further planting forms part of the application including a small orchard and a scheme of legacy planting.

We would expect the latter scheme of planting to be the subject of a Planning Condition

Spatham Farm Cottage (formerly known as Spatham Farmhouse" is a Grade II Listed Building, reference 1222800 and was first Listed on 27th September 1979

This application relates to land to the north of the host property.

Consent was granted in 2019 to convert a redundant stable building into a home gymnasium, this approval was implemented and completed.

A further consent was granted in 2022 for the creation of a new below ground swimming pool, this approval has also been implemented

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act 1990) relates to Conservation Areas and requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

This requirements of the Act are reinforced by the NPPF 2021.

In particular the Act requires the significance of any Heritage Asset to be identified and assessed that maybe affected by the proposals.

The courts have held that "preserve" means an absence of harm

The NPPF reminds us that harm can be either substantial or less than substantial

We have been mindful of this when submitting the application

The NPPF also advises that a Heritage Statement should be proportionate to the application; we consider this Statement to be proportionate

THE PROPERTY

Spatham Farm Cottage sits alongside, and to the east, of the highway known as Spatham Lane.

It is described in the List Entry as a 17th century or earlier two storey dwelling, a copy of the List Entry is attached.

The cottage has, in recent times, been both extended and modernised.

Furthermore, consent has been granted for a home gymnasium and a below ground swimming pool

An application for a new Padel Court is a natural extension to provide the sporting activities enjoyed by the applicants.

The proposed Padel Court sits more than 50m to the north of the host property.

Legacy tree planting, a small orchard and the continued use of the land as a vegetable garden will reduce the visual impact of the court on the host property

There are no other Heritage Assets, either Designated or Non Designated within 250m of the application property.

We do not consider the proposed development will have a detrimental impact on the setting of the Listed Building.

We, therefore, consider the proposal falls comfortably inside the courts definition of "less than substantial harm"

Furthermore, the benefits of supporting this application should be regarded as a bonus when considered alongside the demands of the Eco System Statement.