

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

REF NO: Y/106/19/L

LOCATION: Stakers Farm
North End Road
Yapton
BN18 0DU

PROPOSAL: Listed building consent for conversion of & alterations to existing barns to create 3 no. dwellings, erection of car barns & stores, a replacement pump house, demolition of barn, associated landscaping & parking.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Conversion of three barns into dwellings with parking and landscaping. The proposal involves the demolition of a shed, built in the 20th century with no historic merit to accommodate a shared surface driveway with soft landscaping.
SITE AREA	0.56 hectares.
BOUNDARY TREATMENT	Flint wall on the south-western boundary and low flint wall to the north-east bounding the area of Stakers Farmhouse. 3m high red brick wall to The Croft.
SITE CHARACTERISTICS	Series of barns situated that provide storage for Stakers Farmhouse, a Grade II listed Georgian building. These barns are typically constructed in a mix of timber, flint and red brick with later additions such as blockwork walls having been introduced internally as the uses has evolved over time. There is an area of hardstanding to the front (west) and a small enclosed yard to the rear.
CHARACTER OF LOCALITY	Series of barns situated that provide storage for Stakers Farmhouse, a Grade II listed Georgian building. These barns are typically constructed in a mix of timber, flint and red brick with later additions such as blockwork walls having been introduced internally as the uses has evolved over time. There is an area of hardstanding to the front (west) and a small enclosed yard to the rear.

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

An objection:

- Wish to ensure that a truly sympathetic approach is adopted with any development of these important

agricultural buildings in terms of setting.

- Object on grounds of Highways. The parking situation frequently blocks visibility splays to and from the entrance.
- The introduction of a third dwelling causes unnecessary over intensification for a sensitive set of historic farm buildings with a insufficient provision of amenity space for Barn 3.

COMMENTS ON REPRESENTATIONS RECEIVED:

- Amended plans have been required to ensure the historic and architectural features present in the buildings and their curtilage will be retained.
- WSCC Highways do not consider the proposal would have 'severe' impact on the operation of the highway network and state: 'We are aware that parking does occur along North End Road, especially during pick up and drop off time at the nearby school. There are no restrictions in place to deter parking however. Whilst it is not inconceivable that this development could add to on-street parking demands, given the number of parking spaces proposed the likelihood of additional on-street parking as a result of this proposal should be reduced.'

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Engineers (Coastal Protection)
Building Control
Southern Water Planning
Environmental Health
WSCC Strategic Planning
Conservation Officer
Listed Building Officer
Historic England

CONSULTATION RESPONSES RECEIVED:

HISTORIC ENGLAND: On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are attached.

CONSERVATION OFFICER: The repurposing of flint flooring is acceptable and details of how it is to be used will be required by condition. I am concerned regarding the proposals for the walling and the timber ceiling/first floor which are important features of the space, especially in the ground floor area - they should be retained. It could be that some of the walls remain as exposed brick, whilst others are covered with appropriate plaster. Details would need to be provided. As the agent states, the existing timber first floor could be retained as a feature on the ground floor space with new insulation and floor finishes dressed on top in the first-floor area. Further details can be secured via condition. The success of the scheme depends on the quality of the materials used, and landscaping etc as well as minor design details such as the position of windows/doors in their openings. Materials and details can be conditioned.

ENGINEERS: No objection subject to conditions and informative.

ENVIRONMENTAL HEALTH: No objection subject to condition and informative.

Ecology Comments: With regards to bats, the applicants should be aware a Natural England Protected Species License will be required prior to works taking place. The lighting scheme will need to take into consideration the presence of bats by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. A condition should be used to ensure this. The precautionary mitigation for reptiles is acceptable. Biodiversity Net Gain, as demonstrated, should be conditioned.

SOUTHERN WATER: No objection subject to informative.

WSCC - Highways Authority: no objection, subject to condition.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Lidsey Treatment Catchment
Built-Up Area Boundary
Listed Building
Conservation Area Main Road/Church Road

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
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

Yapton neighbourhood plan 2014 Policy E8

Conservation Areas

Yapton neighbourhood plan 2014 Policy E9

Listed Buildings and Buildings or Structures of Character

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 relevant policies of the Yapton Neighbourhood Development Plan have been taken into account in determining this application: E8 (Conservation Areas) and E9 (Listed Buildings and Buildings or

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 is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The application seeks Listed building consent for the conversion of three barns into dwellings with parking and landscaping. It will be necessary to consider the proposals against the relevant development plan policies which in this case would be HER DM1 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

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 proposal barns and 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 to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The conversion of barns of architectural and historic value which have been under-utilised, and not used for their original purpose in the recent past and some areas have consequently deteriorated in condition. The changes provide appropriate conservation work to revitalise the structure together with some alteration and refurbishment. Amended drawings show the conversion retains those historic and architectural features present in the buildings and conversion work would be undertaken without unacceptably altering the appearance and character of the buildings. The amended proposal avoids the creation of a suburban style curtilage and subdivision of open courtyard. The proposal would not adversely affect the setting of the adjacent Listed building. It would not result in buildings of urban appearance. It does not detract from the rural appearance and character of the buildings which contribute to the rural setting. The Conservation Officer shares the opinion that the application is considered to cause less than substantial harm to the significance of the heritage assets or their setting at lower end in accordance with paragraph 196 of the NPPF (2019). Therefore the public benefits that the development may achieve should be considered which include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

The potential impact of the proposed conversion of the historic group of outbuildings would be outweighed by the benefits of bringing these unused structures back into use since without regular use and maintenance they would quickly deteriorate and fall into ruin and resulting in their loss. This appropriate new use would ensure their future and retain and would preserve and enhance the setting of the adjacent Listed Building and the character and integrity of the Conservation Area. In addition, the proposed conversion would provide three new dwellings whilst preserving the existing fabric and historic value of these historic barns.

The development satisfies requirements of NPPF, Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policy HER DM1 and HER DM3 of the Arun Local Plan.

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 6797-LOC01 'Location Plan

Dwg No 6797-BLOC01 'Block Plan'

Dwg No 6797-PL-001 Rev D 'Proposed Site Plan'

Dwg No 6797-PL-002 Rev H 'Proposed Ground Floor Site Plan'

Dwg No 6797-PL-010 Rev F 'Proposed Plans Barn 1'

Dwg No 6797-PL-011 Rev H 'Proposed Plans Barn 2'

Dwg No 6797-PL-012 Rev E 'Proposed Plans Barn 3'

Dwg No 6797-PL-020 Rev F 'Existing & Proposed Elevations Barn 1'

Dwg No 6797-PL-021 Rev E 'Existing & Proposed Elevations Barn 2'

Dwg No 6797-PL-022 Rev F 'Existing & Proposed Elevations Barn 3'

Dwg No 6797-PL-023 Rev F 'Proposed Car Barn and Outbuilding'

Dwg No 6797-PL-024 Rev F 'Proposed Street Scenes'

VISUAL STRUCTURAL REPORT dated 26/07/2019, Document Reference: 19-211

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.