

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

REF NO: Y/3/14/L

LOCATION: Berricourt
Main Road
Yapton

PROPOSAL: Application for Listed Building Consent for replacement of defective roof structure

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The is a retrospective application is to strip the roof covering, repair and reinforce roof trusses and then re-lay the roof tiles.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint walls.
SITE CHARACTERISTICS	The house is under scaffold and under a roof protective cover. The house is rendered and painted cream to the front elevation with brick and flint to the side and rear, with clay tiled roof. There are out buildings in brick and render with tiled roof.
CHARACTER OF LOCALITY	Predominantly residential, semi rural village.

RELEVANT SITE HISTORY

Y/5/13/L	Application for Listed Building Consent for the partial demolition of part of garage, proposed triple garage and greenhouse and 2 no. dormers, replacement kitchen windows, internal alterations and re-painting of front elevation.	ApproveConditionally 17-05-2013
Y/4/14/L	Application for Listed Building Consent for upgrade of roof to games room and ball room	ApproveConditionally 17-02-2014

REPRESENTATIONS

Representations received:

Yapton Parish Council
Yapton Parish Council:
No objection

Comments on Representations received:
Noted.

CONSULTATIONS

Conservation Officer
Listed Building Officer

Consultations responses received:
Historics Buildings Advisor:
No objection.

Conservation Area Advisory Committee:
No objection

Comments on Consultation responses:
Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the Built up Area Boundary
Listed Building Grade II
Within a Conservation Area
Class B road
Permitted Development Restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & 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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is within the Yapton Main Road/Church Road Conservation Area. Berri Court is Listed Grade II therefore any works to the building will need to be sensitive to the historic background.

NATIONAL PLANNING POLICY FRAMEWORK

The core principle in paragraph 17 is to support sustainable development and to seek high quality design. Paragraph 132 states that great weight should be given to the historic assets conservation. Significance can be harmed or lost through alterations or destruction of the heritage asset. The proposal is considered to be in accordance with this policy as the existing roof tiles have been removed, the timbers will be reinforced or repaired and then the original roof tiles will be replaced on the roof ensuring the historic fabric is retained.

YAPTON MAIN ROAD/CHURCH ROAD CONSERVATION AREA

Berri Court is set in its own grounds and set back from the road. The repairs to the roof will not affect the visual appearance within the conservation area because the original roof tiles will be replaced back on the roof after the timbers have been reinforced and repaired.

EFFECTS ON THE LISTED BUILDING

The roof timbers of Berri Court have had severe insect infestation and dampness which has resulted in many of the timbers becoming unsafe. Therefore all existing roof tiles have been removed and stored. The proposal is to reinforce existing timbers by joining new timbers alongside of the existing, with some steel plates. The existing roof tiles will then be refitted to the roof. It is considered that this necessary work will maintain the historic integrity of the building to ensure its future use as a residential building.

VISUAL AMENITY

As the roof tiles will be replaced once the works have been completed, there will be no effect on the visual appearance of the building within the street scene or the conservation area.

SUMMARY

The proposed work to strengthen the roof structure and repair damage caused by dampness and insect infestation is considered to be satisfactory to maintain the historic integrity of the building and the loss of fabric has been kept to a minimum. Therefore it is recommended that the application is granted consent with the following conditions.

HUMAN RIGHTS ACT

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) 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 none of the following impacts (negative, Neutral or positive) 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).

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 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with policy DEV10 of the Arun District Local Plan.

- 3 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.