

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

REF NO: Y/57/17/L

LOCATION: Wellow Barn Old Barn House
Hoe Lane
Flansham

PROPOSAL: Application for Listed Building Consent for a Detached carport

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Single storey, detached rear carport.
SITE AREA	0.03 hectares
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	None to front, property bounds the road. 1.6m flint wall to west side and rear (north), 1.8m fence to east side.
SITE CHARACTERISTICS	Semi-detached grade 2 listed barn conversion with high hipped roof, used as a dwelling with driveway to side and garden to rear.
CHARACTER OF LOCALITY	Semi-rural village location, formed of some two storey listed buildings with some single storey properties and some commercial uses.

RELEVANT SITE HISTORY

Y/53/99/L	Application for Listed Building Consent for change of use of existing barn to Class B1 Use (manufacture of curtains and soft furnishings)	ApproveConditionally 22-11-1999
Y/55/10/L	Application for Listed Building Consent for internal alteration and subdivision of existing barn to convert from D1 use to two self contained residential units.	ApproveConditionally 06-09-2010

LB consent granted in 2010 to convert the barn into two residential dwellings. This property is one of the dwellings.

REPRESENTATIONS

Representations received:

Yapton Parish Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Listed Building Officer

Consultations responses received:

CONSERVATION OFFICER

The application is for a substantial carport with integral log store.

The proposed will be dominating within a small plot, and visible from the street scene. It is considered that the development, constructed in the proposed material pallet would not represent substantial harm to the setting of a listed building.

The proposal also details the blocking up of an existing, historic gate. This element represents a historic link between the house and ancillary buildings, and it is recommended that this feature be retained, and not blocked up as detailed on the submitted plans

Comments on Consultation responses:

Comments noted.

The blocking up of the doorway has now been removed from the application.

POLICY CONTEXT

Designation applicable to site:

Grade II listed building.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings
HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

No Yapton NDP policies are relevant to this application.

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."

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.

CONCLUSIONS

The importance of sustaining and enhancing the significance of heritage assets, while keeping them in viable and appropriate uses, is emphasised throughout Section 12 of the NPPF and para. 132 requires great weight to be given to their conservation.

The development is considered to not have substantial harm to the character and appearance of the listed building and its setting. Materials to match the main property are specified and are considered acceptable.

Conditional approval is recommended,

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 (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 works hereby approved shall be carried out in accordance with the following approved plans:

Location Plan
Site/Roof Plan
Proposed Plot Plan
Proposed ground floor plan Proposed cross section Rev A

Reason: For the avoidance of doubt and in the interests of the listed building and its setting in accordance with National Planning Policy Framework.

- 3 **INFORMATIVE:** This consent does not purport or be deemed to grant consent for any buildings or structure within the curtilage of the Listed Building for which a separate application for planning permission is required under the provisions of the Town and

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Country Planning Act 1990 (as amended).