

REPORT UPDATE

Application No: Y/58/19/L

Reason for the Update / Changes

Reason for Update/Changes:

Paragraph 2 of the Conclusions section on page 50 contains an incorrect reference to the Planning (Listed Buildings and Conservation Areas) Act 1990. It should instead read as follows:

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: "In 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 setting or any features of special architectural or historic interest which it possesses."

Officers Comment:

There are no changes to the recommendation, conditions or reasons.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

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

REF NO: Y/58/19/L

LOCATION: Old Bilsham Farm
Bilsham Lane
Bilsham
Yapton

PROPOSAL: Application for Listed Building Consent for conversion of existing single residential dwelling into 3 No. residential units with associated internal & external alterations & refurbishment & detached garage/outbuilding

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The alterations to the Listed Building consist of new external windows & doors and new internal stud walls. A full list of the alterations is provided within the submitted "Design & Access & Heritage Statement". There are no plans to subdivide the garden space.

BOUNDARY TREATMENT

No changes are proposed to boundaries which are a mix of 2.2m high walls/close boarded fencing to the west boundary, 2m high hedge atop a 1m high earth bund to the north boundary and a 1m-2m high flint wall along the frontage.

SITE CHARACTERISTICS

Large detached Grade II listed house with one and two storey additions/outbuildings set around a central courtyard. Further outbuilding to the east of the access drive. Large gardens to the east and north.

The Conservation Officer described the building as: "Old Bilsham Farm is a C18 Grade II Listed Building. It is an 'L-shaped' building, which was probably two cottages at some point. It is of two storeys and attic, with two C19 gabled dormers. The elevation is faced with knapped flints with red brick dressings, quoins and a stringcourse. There is a tiled roof and painted casement windows."

CHARACTER OF LOCALITY

Predominantly rural. A small number of dwellings located predominantly to the north side of Bilsham Lane. There are two further listed buildings to the east of this site. Open fields to the north, west and south.

RELEVANT SITE HISTORY

Y/57/19/PL

Conversion of existing single residential dwelling into 3 No. residential units with associated internal & external alterations & refurbishment & detached garage/outbuilding

Y/39/16/PL

Conversion of existing single residential dwelling into 3 No. residential units with associated alterations & refurbishment & detached garage/outbuilding (resubmission following Y/60/15/PL).

ApproveConditionally
01-09-16

Y/40/16/L

Application for listed building consent for the conversion of existing single residential dwelling into 3 No. residential units with associated internal & external alterations & refurbishment & detached garage/outbuilding (resubmission following Y/61/15/L).

ApproveConditionally
01-09-16

Y/39/16/PL & Y/40/16/L were approved under delegated powers in September 2016. There are no changes between the approved scheme and that proposed.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Whilst Yapton Parish Council (YPC) support regeneration of existing suitable buildings within the Parish's BUAB, YPC is of the view that this proposal has failed to take into consideration both the rural position of

this site and the importance of the listed building and its immediate setting. YPC therefore object on the following grounds:

- Outside the BUAB;
- Over development of the proposed plot having a significant and negative impact on the listed building and its setting;
- Inadequate amenity space provided for each individual proposed unit in relation to the buildings' rural setting;
- Poor parking and vehicular turning provision on a dwelling by dwelling basis;
- Inadequate cycle and bin provision for each individual unit.

COMMENTS ON REPRESENTATIONS RECEIVED:

It is only possible to determine a Listed Building Consent in respect of the impact of the proposals on the character and appearance of the listed building itself (i.e. not its setting). This will be considered within the report's conclusions section.

CONSULTATIONS

Engineers (Drainage)

Engineering Services Manager

Engineers (structural)

Listed Building Officer

Conservation Officer

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

ADC CONSERVATION OFFICER - No objection. Comment that:

- The application relates to the conversion of a residential dwelling into 3 units with associated internal/external alterations and refurbishment. A detached garage/outbuilding is also to be provided;
- The current application appears to be a direct renewal of the previously approved one in 2016;
- The concept of redevelopment is still supported, subject to the preservation of noted heritage features;
- Details of materials, glazing and any change in external colours should be provided to the LPA by way of condition;
- The landscaping of the courtyard area will have a significant impact upon the success of the scheme, and it is suggested that details could be provided for by way of condition, if this element of the scheme is to alter.
- The application is considered to not cause harm to the significance of the heritage asset or its setting;
- As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments; and
- You will need to take into account the contents of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site: Grade II Listed Building.

DEVELOPMENT PLAN POLICIES

[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 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.

Yapton Neighbourhood Plan policy E9 states that: "Planning permission will not be granted for development that would result in the loss of either listed buildings, or the buildings or structures of character set out in Appendix 1 and Appendix 2 of the Plan."

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) 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 or the Secretary of State 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 of the Grade II Listed Building.

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

Relevant Local Plan policies are HER SP1 (The Historic Environment) and HER DM1 (Listed Buildings). HER SP1 states that listed buildings and their settings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Also that development likely to prejudice their setting will be refused and that any proposals for development will be required to

comply with all other relevant policies. HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings. In addition, YNDP policy E9 states that planning permission will not be granted for development that would result in the loss of listed buildings. This is an application for Listed Building Consent so the policy is not relevant.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, 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."

It is necessary to consider policy guidance in the National Planning Policy Framework (NPPF) which sets out steps when considering impact on heritage assets. Para 189 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 190 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 193-196).

The application includes a Heritage Statement which provides information in accordance with the relevant paragraphs of the NPPF 2019 as described above.

The Conservation Officer has assessed the proposal advises that the proposal will not cause harm to the significance of the heritage asset or its setting and it should therefore be determined in accordance with the relevant policies within the Development Plan along with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, it is not necessary to consider the public benefits of the proposal.

This application was previously supported by the Council's then Historic Buildings Advisor and is currently supported by its Conservation Officer. It is considered the scheme preserves the building and its setting and will conserve existing features of special architectural/historic interest. The proposal complies with the guidance in the NPPF, with policies HER DM1 and HER DM3 of the ALP and with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is therefore recommended that the application be approved subject to the following conditions.

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:

Drawing 008 "Location Plan" & "Site Plan";
 Drawing 003 "Proposed (Ground) Floor Plans";
 Drawing 004 "Proposed (First & Second) Floor Plans";

Drawing 006 "Proposed Elevations";
Drawing 007 "Existing and Proposed Elevations";
Drawing B01 (Garage) "Floor Plan";
Drawing B02 (Garage) "Building Elevations"; and
Drawing 009 "Proposed Parking Provision".

Reason: For the avoidance of doubt and in the interests of the preservation of the heritage asset in accordance with policy HER DM1 of the Arun Local Plan.

- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.