

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

REF NO: Y/67/13/L

LOCATION: Hobbs Farmhouse
Bilsham Road
Yapton

PROPOSAL: Application for Listed Building consent to paint the South and West facing exterior walls, from ground level to roof level.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Part Hedgerow, part dwarf railings with trees along the front boundary. Flint wall to adjacent Hobbs Court site.
SITE CHARACTERISTICS	This is a large two storey detached farmhouse, rendered in a grey colour with white painted window frames and red/brown clay tiles.
CHARACTER OF LOCALITY	Predominantly rural area but immediately adjacent to a site of former agricultural buildings currently in the process of conversion to residential dwellings. There is also a small group of dwellings to the east. to the east.

RELEVANT SITE HISTORY

Y/4/11/	Create new access to replace existing access away from dangerous double bend.	ApproveConditionally 21-04-2011
Y/49/77	Construction of new access to replace existing	ApproveConditionally 07-02-1978

No comments.

REPRESENTATIONS

Representations received:

Yapton Parish Council

Yapton Parish Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Listed Building Officer
Conservation Officer

Consultations responses received:

Historic Buildings Adviser - No objection.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside Built Up Area Boundary;
Class B Road; and
Listed Building Grade II.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

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 regard to visual and residential amenity.

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.

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

It is proposed to paint the southern (facing towards the road) and western (facing the adjacent conversion site) elevations with two colours specified from the Albany Traditions range. The colours are essentially different shades of cream/beige. Whilst the colour will be different to the existing render, it is not a colour that will be detrimental to the character of the locality or the visual appearance of the listed building. The Council's Historic Building Adviser raises no objection and it is therefore recommended that consent be granted.

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 "OS Site Plan" Dwg No. L(OS)01; "Block Plan" Dwg No. L(OS)02; the two submitted colour photographs and the colour sample indicating a choice of the 'Cookley' and 'St Mary's Bay' colours from the Albany Traditions Range.

Reason: To enable the Local Planning Authority to exercise comprehensive control over the details of the proposed development in accordance with the National Planning Policy Framework.