

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

REF NO: Y/68/22/L

LOCATION: Berri Court
Main Road
Yapton
BN18 0ED

PROPOSAL: Listed building consent for the erection of detached workshop, gym/hobby and greenhouse.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct three outbuildings to the rear garden which will serve as a workshop, a gym/hobby room and a greenhouse.
TREES	None of any significance affected by the proposed development.
SITE CHARACTERISTICS	Grade II listed detached two storey dwelling with attic level. Five windows on the principal elevation and two dormers. The elevation is stuccoed with a stringcourse and eaves cornice and there is a tiled roof. Doorway with pilasters and pediment on the principal elevation. It is of architectural and historical significance.
CHARACTER OF LOCALITY	Semi-rural. It is located within Yapton (Church Lane and Main Road/Church Road) Conservation Area comprising a mixture of brick and flint two storey dwellings and cottages.

RELEVANT SITE HISTORY

Y/85/14/L	Application for Listed Building Consent to replace 2No. doors	ApproveConditionally 02-01-15
Y/48/14/L	Application for Listed Building Consent to raise dormer window cills at front elevation & structure required to support main roof.	ApproveConditionally 23-07-14
Y/18/14/L	Application for Listed Building Consent for a proposed door link drawing room and plant room, and office roof revised to a pitched roof.	ApproveConditionally 14-05-14

Y/3/14/L	Application for Listed Building Consent for replacement of defective roof structure	ApproveConditionally 17-02-14
Y/4/14/L	Application for Listed Building Consent for upgrade of roof to games room and ball room	ApproveConditionally 17-02-14
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 17-05-13
Y/14/92/L	Application for Listed Building Consent for the conversion and extension to existing outbuilding to form one dwelling.	ApproveConditionally 17-06-92

Relevant planning history noted.

REPRESENTATIONS

Yapton Parish Council - Objection:

- The greenhouse is acceptable in planning terms reflecting both the listed building's heritage and that of the conservation.
- Issues regarding the compatibility in terms of design or function of the proposed adjoining workshop/hobby room.
- Request for an elevation drawing showing both the workshop and greenhouse in context against the listed building and its setting.
- Asks that this application be deferred until such a drawing is issued.
- Objects to the application in its current form and would seek that the workshop/hobby room is removed in its entirety from any proposal that may be considered currently or in the future.

1 letter of Objection from nearby occupiers:

- Neither application appears to have included a Tree Report. The Site Plans do not show the location of trees.
- Heritage Statement - Design and Access Statement remains unchanged and lacks important details including the historical evolution of Berri Court, and Rumford and Eucalyptus House; the effects of the proposed scheme; and consideration of alternative locations.
- No sectional plan showing the existing house with the proposed outbuildings, together with neighbouring properties.
- The proposed structures could be moved to a minimum of 2.6m away from the boundary wall.
- While the proposed design of the greenhouse could be regarded as sympathetic, the workshop and gym/hobby room are not considered in keeping.
- Serious and intrusive issue of noise from the workshop and gym/hobby room.
- Possible pollution from the workshop.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS
CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

The proposal is for the erection of three detached structures in the grounds of the listed building. These are a workshop, a gym/hobby space and a greenhouse.

The greenhouse and the workshop would be to the side of the house in a walled garden; the northern, eastern and southern boundaries of this space are walling, whilst the western one is predominantly the listed building itself. The structures would back onto an existing wall and the gym and workshop would form a small group with an existing building. The presence of existing screening/walling means that the location of the structures would not be clearly seen from the main roads in the conservation area, and it is considered that the plans are slightly misleading in this respect.

The gym/hobby room structure would be located in a separate garden space to the rear of the house and would form part of a small courtyard type space, with existing attractive planting/landscaping. The design of the workshop and gym/hobby structures is contemporary and not pastiche, which in the context of their size/location is acceptable. The dark colours, along with the sedum roofs would help them to have a neutral impact upon the listed building. The success of such a scheme will depend upon the details of the design and fenestration. It is suggested that further details of the windows and doors should be provided so as to ensure that they are of an acceptable appearance. The glass house is of a more traditional design, and like the other two structures would have a neutral impact.

The application is considered to not cause harm to the significance of the heritage assets or their setting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built Up Area Boundary

Conservation Area

Listed Building

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

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, The South Inshore & South Offshore Marine Plan 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.

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."

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 be weighed in the balance with the Development Plan.

CONCLUSIONS

The application concerns works in the curtilage of a grade II listed building. Given the building's listed status, any developments should protect and enhance the special historic and architectural character of the building and preserve its setting.

Policy 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. Because the listed building is a significant heritage asset, proposals should protect the setting of these buildings.

Para 194 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The heritage assets in this case are of some significance historic and architectural interest.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. The proposal has limited impact on the significance of the heritage assets. This is due to their siting which are not visible from the wider area. The scale of the structures is appropriate and in keeping with the size of the site. The design incorporates features to reduce its impact upon the development on site with a sedum roof enabling it to blend in with the surroundings.

The proposal will not materially affect the character or detract from the visual appearance of the Listed building and is not considered to harm the significance of the heritage asset in accordance with HER DM3 of the Arun Local Plan.

SUMMARY

Following comments from the Conservation Officer it is concluded the proposal would not harm the significance of the heritage asset and as is in accordance with HER DM1, HER DM3 and HER SP1, in that it is considered to protect and enhance the special historic and architectural character of the

building.

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:

- Site Plans 01F
- Proposed Plans, Elevations & Section 05, 06 (Gym/Hobby Space and Workshop)
- Plans and Elevations (Greenhouse)

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.

- 3 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 4 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 HER DM1 of the Arun Local Plan and the NPPF .