

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

REF NO: Y/70/15/L

LOCATION: The Piggery
Hobbs Court
Bilsham Road Yapton

PROPOSAL: Application for Listed Building Consent for internal alterations to provide 3 x bedrooms & conversion & extension to existing carport to provide 5No. garages

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The internal alterations increase the number of bedrooms from 2 to 3 and are primarily at the expense of a large internal hallway. The carports will be extended and converted into garages.

SITE AREA

N/A.

RESIDENTIAL DEVELOPMENT DENSITY

N/A.

TOPOGRAPHY

Slight slope from north to south but otherwise flat.

TREES

There are a few small to medium trees along the eastern boundary.

BOUNDARY TREATMENT

The majority of the site boundaries are formed by the existing buildings. However, there is also a low hedge along the southern boundary, a 1-1.2m high brick wall along part of the western boundary, a higher brick wall further along and also a flint wall on this boundary. The site is presently largely open to the road on the western and southern boundaries.

SITE CHARACTERISTICS

Former single storey brick built piggery building now substantially externally complete. The carport structure has also been extended and part converted into garages. The land around the two buildings still bears the hallmarks of a building site but will eventually form private garden, parking and turning space.

CHARACTER OF LOCALITY

With the exception of the site, the adjoining Hobbs Farmhouse and some dwellings & industrial buildings to the southeast, the character of the surrounding area is rural.

RELEVANT SITE HISTORY

Y/89/13/L	Application for Listed Building Consent for proposed conversion of outbuilding to single dwelling	Withdrawn 13-01-2014
Y/105/13/	Amendment to previous approvals Y/3/89 and Y/60/90 for conversion of farm buildings to 3No. residential dwellings (Resubmission following Y/59/13).	ApproveConditionally 21-05-2014
Y/106/13/L	Application for Listed Building Consent for amendment to previous approvals Y/4/89/L for conversion of farm buildings to 3No. residential dwellings (Resubmission following Y/60/13/L).	ApproveConditionally 21-05-2014
Y/32/14/L	Application Listed Building Consent for proposed conversion of outbuilding to single dwelling	ApproveConditionally 02-07-2014
Y/88/13/	Proposed conversion of outbuilding to single dwelling	ApproveConditionally 02-07-2014
Y/10/15/HH	Conversion of existing carport into garage	ApproveConditionally 17-03-2015
Y/21/15/DOC	Application for approval of matters reserved by condition imposed under Y/32/14/L relating to condition 3 - Roof & wall materials	DOC Approved 07-04-2015

The car port was previously approved by applications Y/106/13/L and Y/105/13. The piggery conversion was approved by Y/32/14/L and Y/88/13/PL. The materials used in the conversion of the car port was approved by Y/21/15/DOC. It is also noted that a further carport within the site was converted into garages by way of application Y/10/15/HH. No conditions requiring further details were imposed on that consent.

REPRESENTATIONS**Representations received:**

Yapton Parish Council

Yapton Parish Council - no objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Conservation Officer

Listed Building Officer

Consultations responses received:

Council's Historic Buildings Adviser - "Objection. The conversion and extension of the piggery building as originally conceived sought to maintain an agricultural quality within the site. It did this by using barn-like forms which were relatively simple and understated. The introduction of an extension which protrudes from the gable end would appear to conflict with this approach and does not result in a sympathetic building character. It is also not particularly convincing

architecturally and may appear bolted on as an afterthought rather part of an integrated design. Unfortunately, this is not capable of support."

Comments on Consultation responses:

The applicants have amended the application by removing the porch and thus there is no longer any objection.

POLICY CONTEXT

Designations applicable to site:

Class B Road;
Outside Built Up Area Boundary;
Advert Control Area;
Listed Building Grade II; and
Permitted Development Rights Restriction.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

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

[Yapton neighbourhood plan 2014 Policy E9](#)

HER DM1 Listed Buildings

HER SP1 The Historic Environment

Listed Buildings and Buildings or Structures of Character

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.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

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 this complex of Grade II Listed Buildings.

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

The proposal concerns the internal alteration of the piggery building conversion and the conversion/extension of the previously approved carport structure.

The Council's Historic Buildings Adviser only raised objection to the additional porch and this has now been removed. On the basis that there is now no longer any objection to the proposed alterations, it is considered that the proposal complies with those policies which exist to protect the setting of listed buildings and it is recommended that this Listed Building Consent be approved subject to the following conditions.

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:

Location Plan & Block Plan Ref 509 Rev B;
Existing Outbuilding Plans Ref 510;
Approved Ground Floor Outbuilding Plans Ref 001 Rev B;
Proposed Outbuilding Plan Ref 508 Rev C;
Existing Outbuilding Elevations Ref 511;
Proposed Elevations Ref 512 Rev A; and
Proposed Covered Parking Ref BR 010 Rev A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Emerging Local Plan Policy HER DM1 and the National Planning Policy Framework.

- 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable

development, as set out within the National Planning Policy Framework.