

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

REF NO: Y/81/17/L

LOCATION: Dovecote, Hobbs Court
Bilsham Road
Yapton
BN18 0JY

PROPOSAL: Listed building consent for the retention of existing fencing, satellite dish, window & door designs and original hayloft crane & house sign adjacent to front door

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission to retain the following: * 1m high black stained close boarded fence & picket style gate to rear garden; * 1.8m high vertical timber fencing with attached timber trellis work between front garden & parking/circulation space and between the front garden & neighbouring property, The Piggery; * 1.8m high trellis fencing to part of eastern boundary of the front garden; * Black stained horizontal timber within existing boundary wall to rear garden; * A domestic black coloured satellite dish to the south east elevation; * Siting of an original hayloft crane feature with attached Dovecote house sign adjacent to the front door; and * Window and door designs (as per Drawing 243/04) in conflict with the approved designs on applications Y/105/13/PL & Y/106/13/L.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Mix of timber fencing, brick wall and low hedging.
SITE CHARACTERISTICS	Existing converted former farm building in residential use with garden to front & rear. Part of a private gated residential site consisting of 5 dwellings converted/built from a former collection of agricultural buildings associated with the adjacent Hobbs Farmhouse. The dwelling is Grade II listed by virtue of being within the curtilage of Hobbs Farmhouse.
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/80/17/HH	Retention of existing fencing, satellite dish, window & door designs and original hayloft crane with house sign adjacent to front door	
Y/10/15/HH	Conversion of existing carport into garage	ApproveConditionally 17-03-15
Y/11/15/L	Application for listed building consent for conversion of existing carport into garage	ApproveConditionally 17-03-15
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 21-05-14
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 21-05-14

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council
"No objection"

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Listed Building Officer
Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC CONSERVATION OFFICER - No adverse comments to the proposals.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designations applicable to site:

Outside Built Up Area Boundary;
Class B Road;
Special Control of Adverts
No Public Sewer; and
Grade II Listed Building.

DEVELOPMENT PLAN POLICES

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

HER DM1 Listed Buildings

HER SP1 The Historic Environment

[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 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 then subject to public consultation. The hearing sessions into the examination of the Arun Local Plan ended on Thursday 28 September 2017 and the Inspector then wrote to the Council to set out his 'Interim Views following the Hearings'. The plan was then modified further in January 2018 (Modified - Arun Local Plan - January 2018 Consultation) and these were subject to public consultation between 12 January 2018 and 23 February 2018.

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.

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).

Yapton Neighbourhood Development Plan Policy E9 "Listed Buildings and Buildings or Structures of Character" is relevant to this determination but it seeks only to prevent the loss of Listed Buildings and this proposal does not therefore conflict with this.

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."

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

This application concerns the retention of various features and alterations to this property and its curtilage.

The detail of these have been considered by the Councils Conservation Officer who considers that none of the features/alterations will adversely affect the setting or significance of the Listed Building

It is therefore considered that the proposal is in accordance with both the guidance within the National Planning Policy Framework and the content of the policies within the emerging Local Plan. It is recommended that the application is approved, subject to the following condition.

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

243/01 Site Location, Site Block Plans;
243/05 Site Plan;
243/02 Existing & Proposed South East & North West Elevations;
243/03 Existing & Proposed North East & South West Elevations; and
243/04 Window & Door Details.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.