

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

REF NO: Y/89/20/L

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

PROPOSAL: Listed building consent for a new window in existing external wall.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to construct a ground floor window to the northern elevation.
BOUNDARY TREATMENT	The property has fencing along the rear and side boundaries.
SITE CHARACTERISTICS	The site is occupied by a two storey detached Grade II Listed Building.
CHARACTER OF LOCALITY	The area is rural and the forms part of a small group of former barns which have been converted into residential use. The barns are located next to a listed farmhouse, which together forms an historic farmstead.

Noted.

REPRESENTATIONS

Yapton Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

The proposal is for the introduction of an additional window on the north-east elevation which will provide more light into the ground floor space. The window will replicate an existing. The proposal will result in a minor alteration to the exterior of the building and will not harm its significance.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Outside built up area boundary
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
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 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The application concerns external works to a Grade II Listed Building. Given the building's listed status, any alterations 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. Additionally, because the listed building is significant heritage asset proposals should protect the setting of these buildings.

The proposal seeks to construct an additional ground floor window which will be located to the northern elevation and replicate an existing ground floor window.

Chapter 16 of the NPPF discusses Heritage. Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development. The converted barns retain an agricultural appearance and are of historic significance. Para 190 requires the LPA consider the significance of the impact upon that heritage asset.

Para 193 states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Para 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:-

"General duty as respects listed buildings in exercise of planning functions.

(1)

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."

Due to the modest size of the window and the proposed use of acceptable materials the proposal has limited impact on the significance of the heritage assets due to the minor alterations and through the use of matching materials.

Following comments from the Conservation officer it is not considered the proposal would harm the significance of the heritage asset and as a result is in accordance with HER DM1 and HERSP1, 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
- Location and Block Plan - 321/01
 - Block Plan - 321/01A
 - Proposed and Existing Elevations - 321/02
 - Site Plan and Floor Plan - 321/01A
 - Window Details -321/03
 - Picture demonstrating window details and materials (15/9/20)

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 The window hereby permitted shall match in all details those existing , particular care being taken to reproduce the style and material of the timber window frames, the arrangement of glazing bars, the set-back of the frames from the external wall face, the window cills and the colour, texture and form of masonry arches over the openings.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 4 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.

- 5 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 .