

**Item Number:** 10  
**Application No:** 22/00373/LBC  
**Parish:** Sherburn Parish Council  
**Appn. Type:** Listed Building Consent  
**Applicant:** Wellesley Homes Ltd  
**Proposal:** Erection of raised patio and installation of decking (retrospective) and erection of 30cm horizontal timber fence panel to existing eastern boundary wall  
**Location:** 10 Wagoners Close Sherburn Malton North Yorkshire YO17 8FA

**Registration Date:** 9 March 2022  
**8/13 Wk Expiry Date:** 4 May 2022  
**Overall Expiry Date:** 15 July 2022  
**Case Officer:** Ellie Thompson **Ext:** 43326

#### CONSULTATIONS:

<b>Sherburn Parish Council</b>	No response received
<b>Building Conservation Officer</b>	No concerns
<b>Building Conservation Officer</b>	No response received
<b>Sherburn Parish Council</b>	No response received

**Representations:** None received

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#### SITE:

The property is a traditional, barn-conversion dwelling, located off Wagoners Close in Sherburn. The building is an original barn building located to the rear of Pigeon Pie Court, which is a Grade II listed building. On this basis the property itself is considered to be curtilage listed and officers are of the view that the boundary wall would also be curtilage listed. The property is located within the Sherburn Development Limits and an archaeologically sensitive area.

#### PROPOSAL:

This application seeks consent for the erection of a raised patio and decking to the east of the dwelling, alongside the installation of a 30cm panel of horizontal fencing on the existing, eastern boundary wall.

#### PLANNING HISTORY:

22/00303/HOUSE: An application for the erection of a raised patio (retrospective) installation of 30cm horizontal timber fence panel to existing eastern boundary wall was submitted alongside this application.

16/01365/FUL: Planning permission was granted for the change of use and alterations to former barn to form 4no. bedroom dwelling with formation of parking and amenity areas.

16/01769/LBC: Listed building consent was granted for external and internal alterations to allow the change of use of former barn to form 4no. bedroom dwelling.

The full planning history can be viewed on the uniform system.

## **POLICIES:**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

### The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP12 Heritage

### Material Considerations

National Planning Policy Framework

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 66

## **APPRAISAL:**

The property is a former stable/barn building, which is historically associated with The Pigeon Pie buildings, which are a Grade II listed building. Due to this the application property and the boundary wall are considered to be curtilage listed. Listed Building consent is required for the installation of the proposed fence panel. It is less clear whether the patio and decking require Listed Building Consent as it is unclear if these structures are physically attached to the main building or the boundary wall. Notwithstanding this point they are included in the application and considered on that basis.

The raised patio has been constructed from square, buff coloured pavers on a brick base. The overall height of the raised patio is approximately 31 centimetres above base ground level in this location. Overall, the proposed style and finish of the raised patio is of a design which is common in the garden areas of residential properties.

The new additional fence panel is proposed to be constructed from narrow, horizontal strips of timber, and will be attached to the western edge of the top of the boundary wall.

The design of this type of fence panelling allows it to be easily installed on top of existing boundary walls, and is often used on more historic boundaries if additional height is required. The new fence panel will be a relatively 'light touch' installation, which will allow the majority of the historic wall to remain visible and unaltered and with minimal interference with the fabric of the wall. The installation of the panel will preserve the boundary wall.

The proposed development is considered to be a minor, 'light touch' addition to the external landscaping and boundary treatments at the property which is in domestic use. It is not considered that the proposed development will significantly alter the overall style, form, and character of the host property, the boundary wall or the historic relationship with the neighbouring listed building. On this basis, the proposed development is considered preserve the special architectural and historic significance of the property, and its contribution to the significance of the neighbouring Grade II listed building and will not result in harm to these heritage assets..

The Building Conservation Officer has no objection to the proposed works.

On this basis, the proposed development is considered to comply with Policy SP12 (Heritage) of the Ryedale Local Plan Strategy and the NPPF. On this basis approval is recommended subject to the following conditions:

**RECOMMENDATION:**

**Approval**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plan(s):
  - Site Location Plan (scanned to file on 28.03.2022)
  - Proposed Site and Site Section Plans, drwg. no. 02 dated May 2022 (scanned to file on 01.07.2022)

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies SP12 and SP20 of the Ryedale Plan - Local Plan Strategy.