



Report to Planning Committee 11 July 2024

Business Manager Lead: Lisa Hughes – Planning Development

Lead Officer: Juliette Wilson, Conservation Officer, x5859

Report Summary			
Application Number	24/00695/LBC		
Proposal	Retention of small open porch		
Location	Foxgloves, Main Street, Edingley		
Applicant	Dr Tom Dening	Agent	Mrs Liz Young Freeths LLP
Web Link	24/00695/LBC Retention of small open porch Foxgloves Main Street Edingley NG22 8BE (newark-sherwooddc.gov.uk)		
Registered	17.4.2024	Target Date	4.7.2024
		Extension of Time	19.7.2024
Recommendation	That Listed Building Consent is REFUSED for reasons set out in section 10.0		

This application has been referred to the Planning Committee by Cllr P Rainbow. The material planning reasons for the request are that: i) the Planning Committee was more concerned with the composite doors than the porch in the previous submission; ii) the porch is in-keeping with the barn and provides an important functional element for the house; and iii) the surrounding hedges provide screening from the road.

Summary of the Report

This report considers an application for listed building consent to retain a porch on the front elevation of a former barn that was converted into two residential units in 2010. The application was referred to the Planning Committee by Councillor Rainbow, who supported the applicant's view that the porch was appropriate and functional for the barn. The report explains that the barn is curtilage listed in association with a Grade II listed farmhouse, which dates back to the 17th century. The report assesses the impact of the proposal on the

character and appearance of the listed building and its setting, and concludes that the porch would be an incongruous and harmful addition that would undermine the historic and architectural value of the barn and the farmhouse.

The key issue for consideration is:

- Whether the proposal would preserve the special architectural interest of the listed building and its setting, in accordance with s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.¹

1.0 The Site

1.1 The application site comprises a large former agricultural barn which was approved for conversion into two residential units in 1997. At the time of the application the building was identified as curtilage listed in association with the Grade II listed Manor Farmhouse (LEN 1193536), designated 11th August 1961.

1.2 The application site at the date of listing was in the same ownership as Manor Farmhouse (the 'principal' listed building). It is also considered to be physically related to the former farmhouse and the building had a related function.

1.3 The site is accessed from the Main Street, northwest of Grade II* listed Church of St Giles.

1.4 Other notable listed buildings within this area of Edingley include;

- Grade II Pair of head stone in church yard of Church of St Giles 5-metres north of the chancel (LEN 1370173), designated 13th May 1986.
- Grade II Church Farmhouse (LEN 1045537), designated 13th May 1986.

2.0 Relevant Planning History

2.1 23/01338/LBC - Small open porch and installation of composite doors. Refused 16.2.2024. This is subject to an enforcement notice (ref 23/00227/ENFB) to remove the porch and composite doors: issued 1 March 24, 6 months compliance period.

2.2 23/01339/LBC - Installation of EV charging point. Approved 17.11.2023

2.3 04/00538/FUL & 04/00539/LBC – Conversion of existing garage to granny annexe. Approved 6.5.2004 & 13.5.2004

2.4 97/50542/FUL & 97/50543/LBC – Conversion of Farm building to one dwelling. Approved 7.3.1997

2.5 94/50465/FUL & 94/50464/LBC - conversion of farm buildings to two dwellings. Approved 28.7.1994

¹ This 'Summary of the Report' contains content generated by Artificial Intelligence (AI). This content has been reviewed for accuracy and edited/revised where necessary. The Business Manager takes responsibility for this content.

3.0 The Proposal

3.1 Listed building consent is sought for the retention of a brick built, lean-to porch.

4.0 Departure/Public Advertisement Procedure

4.1 Occupiers of two neighbouring properties have been individually notified by letter.

4.2 A site notice has also been displayed near to the site on 16th May 2024 and an advert has been placed in the local press on 16th May 2024.

4.3 A site visit was undertaken 16th May 2024.

5.0 Planning Policy Framework

5.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a presumption in favour of the preservation of listed buildings and preservation or enhancement of conservation areas.

5.2 Useful advice and policy on dealing with the historic environment is set out within the following:

- National Planning Policy Framework 2023
- Planning Practice Guidance
- Newark and Sherwood Amended Core Strategy DPD (adopted March 2019) - Core Policy 14: Historic Environment
- Allocations & Development Management DPD - Policy DM9 – Protecting the Historic Environment
- Historic England (2016) Making Changes to Heritage Assets: Advice Note 2
- Historic England (2017) Adapting Traditional Farm Buildings: Best Practice Guidelines For Adaptive Reuse
- Newark and Sherwood Supplementary Planning Document Conversion of traditional Rural Buildings

5.3 The [Draft Amended Allocations & Development Management DPD](#) was submitted to the Secretary of State on the 18th January 2024. This is therefore at an advanced stage of preparation albeit the DPD is yet to be examined. There are unresolved objections to amended versions of policies DM9 emerging through that process, and so the level of weight which those proposed new policies can be afforded is currently limited. As such, the application has been assessed in-line with policies from the adopted Development Plan.

6.0 Consultations

6.1 Comments below are provided in summary - for comments in full please see the online planning file.

Town/Parish Council

- 6.2 The Parish Council offered support for the application on the 3rd June 2024.
- 6.3 **Comments have been received from 1 third party/local resident that can be summarised as follows**
- Support the application and consider there is no impact on the surrounding properties as it is hidden from sight.
 - Materials and architectural style are in keeping.

7.0 Comments of the Business Manager – Planning Development

- 7.1 The National Planning Policy Framework (NPPF) promotes the principle of a presumption in favour of sustainable development and recognises the duty under the Planning Acts for planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF refers to the presumption in favour of sustainable development being at the heart of development and sees sustainable development as a golden thread running through both plan making and decision taking. This is confirmed at the development plan level under Policy DM12 of the Allocations and Development Management DPD.
- 7.2 As the applications concern designated heritage assets of a Listed Building and the Conservation Area, sections 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') are particularly relevant. Section 16(2) requires the decision maker in considering whether to grant listed building consent for any works, to *“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.”*
- 7.3 The key issue is:
- Whether the proposed works preserves the special architectural and historic interest of the listed building.

Summary of Significance of Heritage Asset(s)

- 7.4 The proposal scheme relates to a building identified as a curtilage listed building in association with Manor Farmhouse (LEN 1193536). Manor Farmhouse dates to the early 18th century and is constructed of redbrick, with a concrete pantile roof and brick coped gables with kneelers.
- 7.5 Historically associated with the farmhouse is a large agricultural building range. The building is a 'U' planform with a range of agricultural building types/uses. The building is constructed of redbrick and clay pantile. The building has typical agricultural architectural details such as threshing barn and cartshed openings.
- 7.6 Manor Farmhouse was designated on 11th August 1961. As already stated, at the time

of designation, the farmhouse and agricultural buildings were in the same ownership, physically associated (being located together at the end of the lane) and had a linked ancillary use. The agricultural buildings were converted in the 1990s, and it is noted that a listed building application was approved in 1994 and 1997 in which the Council considered it to be curtilage listed. At this time, no additional information has been provided to alter the curtilage listed status of the building.

- 7.7 The application is similar to the previous scheme that was discussed and refused at Planning Committee. For clarity, the applicant has removed the upvc doors from the current application, however the porch remains unchanged. Due to the unacceptability of the previously refused scheme, this is subject to an enforcement notice (ref. 23/00227/ENFB). The enforcement notice requires that owners to reinstate the timber doors, remove the porch and repair any damage to the brickwork. The notice has a 6 month compliance period.

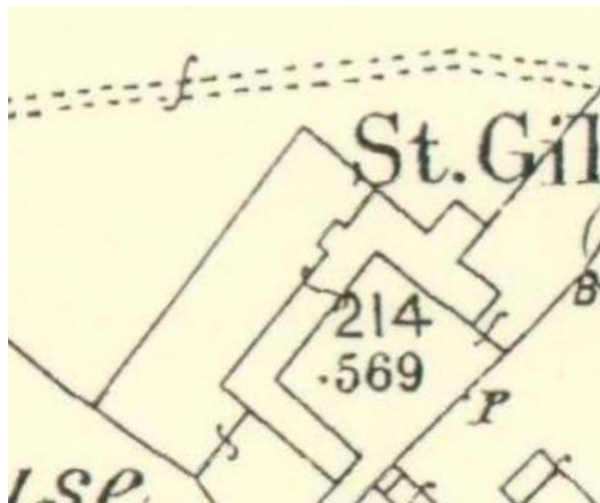
Heritage impacts

- 7.8 Historic England's Best Practice Guidelines for Adapting Traditional Farm Buildings sets out that the general principal is carefully designed extensions can be considered acceptable where they assist in the future *'safeguard of the significance'* of the heritage asset. The building was successfully converted into residential use, which allowed for the safeguarding of the building.
- 7.9 Historic England's Best Practice Guidance suggest that porches can be *'overtly domestic extensions'*, which are *'alien in character and can rarely work successfully within the context of the historic farm buildings'*.
- 7.10 Porches are not a typical agricultural feature and its unsympathetic introduction, such as in this case, erodes the agricultural character of the building and therefore its contribution to the special interest of the designated heritage asset.
- 7.11 The building is a large 'U' plan form with a mix of agricultural building types. The location of the porch does not respond positively to the traditional planform and is awkwardly located between different roof forms. In addition, although the porch is constructed in brick, the choice of brick is not a good match to this part of the building (the main part of the agricultural building has an orange/red brick, and the porch is constructed with a paler brick with pink tones). The use of different bricks contributes to the extension jarring with the original part.
- 7.12 The application site is set back from the road, however, due to the openness of the site the porch is visible from the Main Street. Comments received have outlined that the porch has no visible impact from the Main Street and that surrounding hedgerows have grown since the previous application. Much of the vegetation that have grown are outside the management of the applicant. In addition, the significance of heritage assets and its setting does not depend on public views and poor design, or inappropriate alterations should not rely on screening. However, the roof and top part of the porch is visible from the wider context and the awkward relationship between the porch and the agricultural building is still apparent.

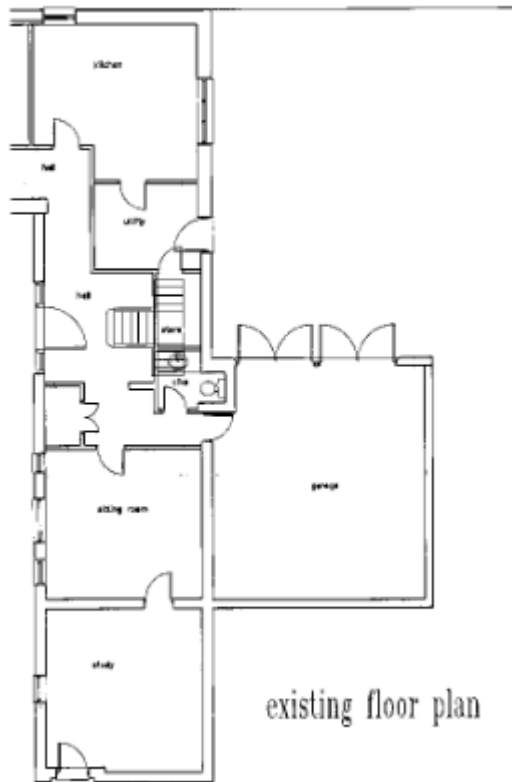
- 7.13 The porch is not considered to affect the setting of the Grade II* listed Church of St Giles due to mature tree cover and the relatively discreet location of the porch (you do not experience the church and porch at the same time).

Other Matters

- 7.14 The applicant asserts that the historic barn range has already been significantly altered, and that domestic conversion has “already removed the context of purpose and to some extent the significance of the building”. Officers accept that the conversion of the former agricultural building into a residential dwelling has inevitably introduced an element of domesticity. However, these approved alterations have contributed to a sustainable reuse of a designated heritage asset. Importantly, the listed building consent process is designed to manage change to listed buildings, and the Council has supported sensitive alterations to the building since its conversion.
- 7.15 As part of the same argument, the applicant draws our attention to a garage on the site. The garage is part of the original building. A 2004 application for the conversion of the garage to an annex, which was not implemented, outlines that the garage doors were side-hung timber doors. There is no planning history relating to the garage doors installed today. Therefore, some alterations do not benefit from listed building consent.



Extract from 1885 OS Map showing the original footprint of the agricultural building.



Extract of 'existing plans' relating to 2004 application that has not been implemented (04/00538/FUL & 04/00539/LBC)

7.16 The applicant also suggests that the porch is very small and has a negligible effect on the listed building. Although the porch itself is small, due to its prominence within the wider context, unsympathetic location and choice of facing brick that does not match it is considered harm is still caused to the special architectural and historic interest of the listed building, albeit less than substantial.



- 7.17 It has been raised by the applicant that the reinstatement of the timber door assists in retaining the character of the building. This, however, cannot be given weight as the upvc doors are unauthorised and subject to an enforcement notice.
- 7.18 Although no specific evidence has been submitted with the application, the applicant has raised concerns over flooding. These concerns relate to water levels around the property during Storm Babet in October 2023, where water from a nearby stream diverted down the property's drive and up to the dwelling.
- 7.19 Comments have been made, that without the porch the water would have entered the property. The Council sympathise with residents that have suffered from flooding; however, this cannot be given any weight within the assessment. The Conservation Team have experience of working with listed building owners to improve flood resilience. There are flood resilience options that are more suitable, which are less visually invasive.

8.0 Implications

- 8.1 In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Equality and Diversity, Financial, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

9.0 Conclusion

- 9.1 The porch within this application is fundamentally unchanged from the previously refused application (23/01338/LBC). As the scheme has remained unchanged, it is considered the application does not address the previous reasons for refusal.
- 9.2 The introduction of an alien and overtly domestic extension results in harm to a listed building that derives significance from a rural agricultural vernacular character. The porch is constructed with brickwork that is not a suitable match to the host property.
- 9.3 The problems raised by the applicant in relation to the and flood resilience can be achieved through solutions that are more sensitive to the building's heritage status.
- 9.4 Any benefits arising from the proposal are private gains, and not heritage benefits.
- 9.5 It is considered that the development does not preserve the special interest of the listed building as required by Section 16 of the Act.

10.0 Reasons for refusal

In the opinion of the Local Planning Authority, the porch would result in less than substantial harm to the special interest of the listed building, by virtue of the unsympathetic extension and introduction of unsympathetic brick into the heritage asset.

The proposal is therefore contrary to the duty contained within Sections 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as Section 16 of the NPPF, CP14 and DM9 of the Council's LDF DPDs, which form a material planning consideration. The identified harm is less than substantial for the purposes of the NPPF, but no public benefits have been identified that might outweigh the harm identified.

Informatives

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The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Working positively and proactively with the applicants would not have afforded the opportunity to overcome these problems, giving a false sense of hope and potentially incurring the applicants further unnecessary time and/or expense.

BACKGROUND PAPERS

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Application case file.

