

## PLANNING COMMITTEE – 2 OCTOBER 2018

<b>Application No:</b>	<b>18/01508/FUL</b>
<b>Proposal:</b>	<b>Householder application for installation of a clock tower on the roof of the attached garage (resubmission)</b>
<b>Location:</b>	<b>Crane Cottage, 38 Main Street, Farndon, Newark On Trent, Nottinghamshire, NG24 3SA</b>
<b>Applicant:</b>	<b>Mr Anthony Menzies</b>
<b>Registered:</b>	<b>08.08.2018</b>
	<b>Target Date: 03.10.2018</b> <b>Extension to: 05.10.2018</b>

**This application has been referred to the planning committee on behalf of Cllr Neill Mison on the ground that there is a high level of public support for this application which he considers to outweigh the less than substantial harm to the heritage assets in the surrounding area determined by the recently refused applications 18/00731/FUL & 18/00732/LBC.**

### The Site

The application site is occupied by a Grade II curtilage Listed barn conversion and situated at the junction of 2 main roads in the Farndon Conservation Area, namely Main Street and Marsh Lane. The dwelling has an attached garage positioned to the SW of the application site; the garage has a hipped roof which is visible from both of the main roads. The dwelling presents a rear elevation directly to the highway to the NW, situated at the back of the pavement with no boundary treatment. Similarly the side elevation is straight onto the pavement. To the SW across the highway is a village green with public benches and a bus stop.

The application building was historically associated with Chestnut Farm, Main Street, which is a Grade II Listed C18 farmhouse to the east. Listed Building Consent was required for the conversion of this outbuilding to residential in 1986, so the Council has considered this to therefore be a curtilage listed building. The building sits within the Conservation Area of Farndon and is a positive building within this designated heritage asset.

In addition, across the highway directly to the NW is the Grade II listed Wall, Railings, Gate Piers and Gates Extending In front of the Old Vicarage.

### Relevant Planning History

**18/00731/FUL & 18/00732/LBC - Install clock tower on hip roof of attached garage – Refused 26.06.2018**

“In the opinion of the Local Planning Authority the proposed clock tower feature would be out of character with the traditional rural outbuilding upon which it is proposed. This development would rival the principal listed building in status and features and would ultimately have a harmful impact upon the setting of the principal listed building. The proposed clock tower lacks authenticity and would detract from the attractive, simple and rustic character of the building, causing harm the architectural and historic interest of the host

building and confusing the significance of the principal listed building and detracting from the character and appearance of the Farndon Conservation Area. The proposed works would harm the significance of the designated heritage asset. There are no other material planning considerations which outweigh the harm caused. The proposal is therefore considered to be contrary to Core Policy 9 and 14 of the adopted Newark and Sherwood Core Strategy and Policies DM5, DM6 and DM9 of the Allocations and Development Management DPD which together form the Development Plan. It is also contrary to Section 72, Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Planning Practice Guidance which are material planning considerations.”

**11860978 & 11860978LB** – Conversion of existing farm buildings into two houses – Permitted 1986



An application for listed building consent has been submitted to accompany this proposal – **18/01509/LBC**.

The Proposal

This application is a resubmission (of an application refused in June 2018) for full planning permission for the installation of a clock tower at the end of the hipped roof of the single storey garage.

The clock is proposed to be installed in line with the centreline of the right hand garage door. The tower is proposed to be mounted on a ridge box built onto the roof with no alteration to the structural supports within the roof space. The tower is proposed to be approx. 1.2 m in total height and 0.7 m square with a pyramidal roof. The clock tower is proposed to be 0.7 m wide and would be positioned on top of the attached single storey garage which is approx. 4.6 m to the ridge – the highest point of the tower will sit approx. 0.1 m lower than the ridge of the hostdwelling. The clock face is proposed to face NW, SE and SW.

The ridge box is proposed to be cloaked in lead and the rest of the tower is proposed to be a dark grey colour. Each clock face is proposed to be translucent and illuminated with a 40 watt light tube from within the tower. The illumination is proposed to be controlled by a light sensor. The clock is proposed to be radio controlled and will not chime.

<p style="text-align: center;"><b>Refused</b> <b>18/00731/FUL &amp; 18/00732/LBC</b></p>	<p style="text-align: center;"><b>Resubmission</b></p>
<div style="text-align: center;">  <p data-bbox="453 1966 683 2033">2.36 m total height 0.8 m in width</p> </div>	<div style="text-align: center;">  <p data-bbox="887 1948 1174 2083">1.2 m total height 0.7 m in width Internally Illuminated Weather vane removed</p> </div>

## Public Advertisement Procedure

30 neighbouring properties have been contacted regarding the application. A site notice has been displayed near to the site and an advert has been placed in the local press.

## Planning Policy Framework

### The Development Plan

#### **Newark and Sherwood Core Strategy DPD (adopted March 2011)**

Core Policy 9: Sustainable Design

Core Policy 14: Historic Environment

#### **Allocations & Development Management DPD**

Policy DM5 – Design

Policy DM6 - Householder Development

Policy DM9 – Protecting and Enhancing the Historic Environment

Policy DM12 – Presumption in Favour of Sustainable Development

### Other Material Planning Considerations

- National Planning Policy Framework 2018
- Planning Practice Guidance 2014
- Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

### Consultations

**Farndon Parish Council** –Support Proposal.

**NSDC Conservation Officer** – *Comments 6.9.18* – “While the description of works describes this as an ‘attached garage’ it is important to appreciate this is a Grade II curtilage listed historic barn.

The building is a simple red brick and pantile barn, converted to residential use. The conversion has been fairly sympathetically carried out and the detailing is simple, as suits a building of this type.

The building was historically associated with Chestnut Farm, Main Street, which is a Grade II listed C18 farmhouse. Listed Building Consent was required for the conversion of this outbuilding to residential in 1986, so the Council has considered this to be a curtilage listed building.

In addition, the building sits within the Conservation Area of Farndon and is a positive building within the Area.

While I do appreciate the application is well intentioned and submitted with the hope of enhancing the building, I nevertheless sustain an objection to this proposal, and I wish to mostly reiterate my comments on the earlier application, with some important additional comments.

I do accept clock towers are sometimes seen on traditional rural outbuildings, however, these are usually seen on the outbuildings associated with high status country houses which are part of a wider estate or on model farms. In these circumstances the design of the outbuilding itself is usually motivated not just by function but also by architectural fashions and a desire to impress. These sorts of outbuildings often have polite architectural features throughout and a sense of symmetry. These kind of outbuildings are also associated with a principal building itself of a much higher status and of polite architectural style.

However, this is notably not the case here. The host building itself is a simple, asymmetrical, linear red brick and pantile outbuilding, whose design and features are vernacular, responding to the function of the building. There is nothing obviously 'showy' or of polite architectural style here. The simple vernacular style of the outbuilding should by no means be taken as a negative feature to be 'corrected' as vernacular buildings are every bit as special and important as those of polite architectural style.

In addition, the outbuilding relates nicely to the host listed building, being subservient to a modest C18 farmhouse.

The barn building is attractive in its own right and also relates well to the overall character and appearance of Farndon Conservation Area, historically being a rural, agrarian village.

The proposed clock tower is not a restoration of a lost feature, but would essentially be a false and pastiche feature. This then makes the history of the building rather confusing to interpret and its lack of authenticity becomes a problem. With the clock tower in place the design would suggest it was in some way associated with a much larger, higher status country house or estate, which it is not. It is also too ornate a feature against the simple vernacular appearance of the converted barn where it would look out of character and like an obvious modern addition. It is also out of character for the outbuilding to rival the principal building in status and architectural features, and this would harm the setting of the principal building. In short, it would be an alien feature in this context.

In my opinion the proposed clock tower would look out of character, lack authenticity and detract from the attractive, simple and rustic character of this host building as well as the setting of the listed farmhouse. It will consequentially be an alien feature within the Conservation Area, which derives a lot of its significance from its good stock of vernacular farming buildings.

I acknowledge that the revised proposal is materially smaller than the previous and does not have a weather vane. In this respect its visual impact is marginally reduced, but not obviously to any point where this would be an invisible or inconsequential addition. As such, my in-principle objection remains the same.

However, I note that in this proposal the proposed clock tower is now internally illuminated and I am very concerned about this. Not only will this keep this alien feature visible 24 hours of the day, it will increase its negative impact from the listed farmhouse and wider Conservation Area.

The fact it is illuminated at all further reduces any authenticity as I know of very few internally illuminated clock faces even today, let alone historically, being restricted in the main to major civic buildings.

I hope this explains how, even though the clock tower is not an unattractive feature in isolation, the context is crucial as to whether it is an appropriate addition or not, and that it can be seen that this is not the right context for this architectural feature.

I cannot point to a specific part of our Supplementary Planning Document on The Conversion of Traditional Rural Buildings that speaks about such additions, as this is, to my knowledge, the first time this has ever been raised. However the spirit of the document and best practices is encapsulated in paragraph 3.2 reads, 'The acceptability of proposed ... schemes will be determined by assessing the sensitivity and respect for the qualities of the specific building(s) concerned. Generally, the less alteration that is required; the more appropriate the new use.'

This is echoed in national guidance given by Historic England in their document Adapting Traditional Farm Buildings, Best Practice Guidelines for Adaptive Reuse (Oct 2017), which at their cover page reads, 'Successful adaptive reuse of any farmstead or building depends on understanding its significance, its relationship to the wider landscape setting and its sensitivity to and capacity for change.'

By failing to respond to the specific character and qualities of the host building and principal listed building the proposal is contrary to this guidance.

I am not convinced of the public benefits deriving from this addition, the host building in no way needing any such addition or restoration. If there are benefits from a new village clock, the application fails to demonstrate why this is the most suitable location. Where there is scope for private investment in the public realm it would seem much better to invest this in an area of proven need.

I do not feel this application should be supported and would caution about any potential approval here setting an unwanted precedence for approving alien features on our important stock of traditional rural buildings.

In the context of the significance of the principal Listed Building and Conservation Area as a whole the application would lead to less than substantial harm. The application would be contrary to Section 72, Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990."

*Comments on the initial and subsequently refused applications 18/00731/FUL & 18/00732/LBC –*

"The application site is a simple red brick and pantile barn, converted to residential use. The conversion has been fairly sympathetically carried out and the detailing is simple, as suits a building of this type.

The building was historically associated with Chestnut Farm, Main Street, which is a Grade II listed C18 farmhouse. Listed Building Consent was required for the conversion of this outbuilding to residential in 1986, so the Council has considered this to be a curtilage listed building. The building sits within the Conservation Area of Farndon and is a positive building within the Area.

While I do appreciate the application is well intentioned and submitted with the hope of enhancing the building, I nevertheless sustain an objection to this proposal.

I do accept clock towers are sometimes seen on traditional rural outbuildings, however, these are usually seen on the outbuildings associated with country houses, country estates or model farms.

In these circumstances the design of the outbuilding is usually motivated not just by function but also by architectural fashions and a desire to impress. These sorts of structures often have polite architectural features throughout and a sense of symmetry. However, this is notably not the case here. The host building itself is a simple, asymmetrical, linear red brick and pantile outbuilding, whose design and features are vernacular, responding to the function of the building. There is nothing obviously 'showy' or of polite architectural style here. The simple vernacular style of the outbuilding is by no means a criticism and buildings of a vernacular character are every bit as special and important as those of polite architectural style. The outbuilding relates nicely to the host building, being subservient to a modest C18 farmhouse. The building is attractive in its own right and also relates well to the overall character and appearance of Farndon Conservation Area, historically being a rural, agrarian village.

The proposed clock tower is not a restoration of a lost feature, but would essentially be a false and pastiche feature. This then makes the history of the building very confusing to interpret and its lack of authenticity becomes a problem. With the clock tower in place the design would suggest it was in some way associated with a much larger, higher status house or estate, which it is not. It is also too ornate a feature against the simple vernacular appearance of the converted barn, it would look out of character and an obvious modern addition. It is also out of character for the outbuilding to rival the principal building in status and features, and this would harm the setting of the principal building, which at the moment is enhanced by its association with this simple, vernacular outbuilding suiting the principal building's own history and style. In my opinion the proposed clock tower would look out of character, lack authenticity and detract from the attractive, simple and rustic character of this building. I think the proposal would harm the architectural and historic interest of the host building, confuse the significance of the principal listed building and detract from the character and appearance of the Conservation Area.

I hope this explains how, even though the clock tower is not an unattractive feature in isolation, the context is crucial as to whether it is an appropriate addition or not, and that it can be seen that this is not the right context for this architectural feature.

In the context of the significance of the principal Listed Building and Conservation Area as a whole the application would lead to less than substantial harm, but I cannot see any public benefit deriving from this addition (the host building in no way needing any such addition or restoration) and feel it should not be supported. The application would be contrary to Section 72, Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990."

**NCC Highways** - This proposal does not affect the highway, therefore, no objections.

**NSDC Environmental Health** – "From the details provided I do not think that there should be a problem with illumination of the clock tower"

89 Neighbour comments have been received in support of the application which are summarised below:-

- Many of the comments state "It's a good idea".
- It is required to tell the time, especially close to the bus stop.
- It will be a benefit to the public because of its location.
- The applicant is an active member of FREG (Farndon Residents Environmental Group) and works to improve and maintain the aesthetic looks of the village of Farndon and contributes to the conservation of the village.

- Can't understand why it has been refused previously.
- The clock is a useful and attractive addition to the village – it would serve the same purpose as a church clock which is not an unusual feature in a village.
- It would enhance the heritage of Farndon and be an asset.
- Many farm buildings would have had a clock feature – the application building was an original stable.
- The proposal will enhance the building and the area in line with planning policy.
- The proposal would not cause any adverse impact on the area or neighbouring amenity.
- The proposal would not impact on any tree or building.
- It would assimilate well with the conservation area and the context of the wider area.
- The decision has already been made by the Conservation Officer.
- It would be a useful feature in the village.
- A refusal would contravene Article 8 of the Human Rights Act.
- The clock is of a quality design and appearance.
- Comments are made with regards to other buildings and planning decisions e.g. Civil War Museum, bus shelters etc.

### Comments of the Business Manager

Firstly it is important to note that the principal of this development has recently been refused on the grounds that the addition would result in less than substantial harm to the designated heritage asset and that there were no material planning considerations that outweighed the level of harm identified. As a result I am of the opinion that the main planning considerations involved in the determination of this planning application relate to the impact that the amendments that have been made to the scheme have upon the Conservation Area and the Listed designated heritage assets.

Given the number of comments received from interested parties and their content I feel it important to highlight that the crux of the previous refusal was the appropriateness and context of this architectural feature in this location and not the design of the feature in isolation.

The application at hand is for the erection of a clock tower on a curtilage Grade II listed barn, the application has been revised from the previously refused scheme - the scale of the proposed clock tower has been reduced with a 1 m height reduction, the removal of the weather vane and a reduction in width by 0.1 m. The highest point of the clock tower would now sit lower than the ridge height (by 0.1 m) of the main dwelling. The tower is also now proposed to be a grey 'lead' colour and the clock faces are proposed to be translucent white and internally illuminated with a 40 watt light tube from within the tower. The illumination is proposed to be controlled by a light sensor. The clock is proposed to be radio controlled and will not chime.

### Heritage Issues

Given that the amended proposals are to a curtilage Listed Building, the impact on the setting of the surrounding listed assets and the effect on the character and appearance of the Conservation Area are material considerations. Section 72 requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 16 of the National Planning Policy Framework (NPPF). Paragraph 194 of the NPPF, for example, advises that the significance of designated

heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development (paragraph 8.c). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas or within the setting of designated heritage assets (paragraph 200).

Furthermore, in assessing the impact on the listed building, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') require the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

The setting of heritage assets is defined in the Glossary of the NPPF which advises that setting is the surroundings in which an asset is experienced. Paragraph 13 of the Conservation section within the Planning Practice Guidance (PPG) advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Para 196 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

In addition, as the site lies within the Conservation Area, any proposed development must comply with the principles of Core Policy 14 and Policy DM9. Criteria within these policies require proposals to take into account the setting of heritage assets and the distinctive character and setting of Conservation Areas. Policy DM5 relating to design and DM6 relating to householder proposals also state planning permission will be granted providing the proposal *“respects the character of the surrounding area including its local distinctiveness and the proposal respects the design, materials and detailing of the host dwelling.”*

The property is a curtilage Listed Building to Chestnut Farm, Main Street, which is a Grade II Listed C18 farmhouse to the east of the application site. The Conservation Officer has assessed this proposal and their full comments on the previous and current applications can be read in the consultations section above. In summary they have advised that while we remain appreciative that the application is well intentioned and submitted with the hope of enhancing the building, nevertheless there remains to be an objection to this proposal. The proposed clock tower would not be a restoration of a lost feature that was once present within this farmstead – it would instead be a pastiche and false feature that would confuse the history of the curtilage listed building and wider listed site. The legibility of the building in heritage terms would become difficult to interpret and the proposals would lack authenticity.

Clock towers such as these would usually be present on much larger, higher status houses or estates which would directly contrast with the traditional, simple, linear planform of this outbuilding. The proposed clock is considered to be too ornate a feature against the simple vernacular appearance of the converted barn, which would look out of character and an obvious modern addition. It is important to highlight that when stating that this is 'too ornate a feature' I refer directly to the principal of a clock tower on this building and not to the style of the tower itself. It is also considered that this proposal would result in the outbuilding rivaling the principal



building in status and features, which should be strongly resisted, and would harm the setting of the principal building, which at the moment is enhanced by its association with this simple, vernacular outbuilding suiting the principal building's own history and architecture.

I acknowledge that the applicant has revised the design of the clock tower in an attempt to simplify the feature but I would reiterate that the previous application was refused as the principal of this development was concluded to be inappropriate in this location rather than the style of the proposal being unacceptable.

The Design and Access Statement explicitly states that the revised design is more simplistic than previously proposed and this lessens the impact on the surrounding area, however, I would respectfully refute this statement given the clock, whilst having been reduced in size, is now proposed to be internally illuminated which will arguably increase its prominence and will result in a further detrimental impact on the surrounding conservation area.

The NSDC Supplementary Planning Documents address the use of illumination within conservation areas and on listed buildings and explains that the use of internal illumination is not desirable and will normally be resisted as it can have a detrimental impact on the area. On listed buildings illumination is almost always inappropriate. The Conservation Officer has also advised that they are "very concerned" about the proposal to illuminate the clock stating "...not only will this keep this alien feature visible 24 hours of the day, it will increase its negative impact from the listed farmhouse and wider Conservation Area.

The fact it is illuminated at all further reduces any authenticity as I know of very few internally illuminated clock faces even today, let alone historically, being restricted in the main to major civic buildings."

The Conservation Officer acknowledges that the revised proposal is materially smaller than the previous clock and does not have a weather vane and in this respect its visual impact is marginally reduced, but states that this is not obviously to any point where this would be an invisible or inconsequential addition. As such, the in-principle objection remains the same.

In conclusion it is considered that the proposed clock tower, as revised, would look out of character, lack authenticity and detract from the attractive, simple character of this vernacular building. The proposal would harm the architectural and historic interest of the host building, confuse the significance of the principal listed building and detract from the character and appearance of the Conservation Area - the addition if internally illuminated is considered to be a further concerning and harmful amendment to the previously refused scheme and an element which should be strongly resisted.

The conservation officer has highlighted that even though the clock tower is not an unattractive feature in isolation, the context is crucial as to whether it is an appropriate addition or not, it has been concluded that this particular barn is not the right context for this architectural feature. The building currently makes a positive contribution to the surrounding area and the proposed clock tower would be seen as an obvious anomaly to the designated heritage asset. As a consequence I consider this to harm the significance of the designated heritage assets (listed building and conservation area) which is contrary to the provisions and intentions of the NPPF which is a material planning consideration. Despite the level of public support there have been no wider public benefits presented that would outweigh the less than substantial harm that this development would cause that would warrant an approval.

The glossary of the NPPF does not define what is meant by a public benefit. However, paragraph 20 of the NPPG {ID: 18a-020-20140306} deals explicitly with the meaning of the term:

*“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.*

*Public benefits may include heritage benefits, such as:*

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- reducing or removing risks to a heritage asset*
- securing the optimum viable use of a heritage asset in support of its long term conservation”*

I note that there has been a significant level of public support for this application with a number of local residents commenting that this proposal would be an asset to the area and a useful and attractive addition to the Farndon conservation area. Whilst I acknowledge that the comments have been submitted with the best intention, many fail to raise any material planning reasons why this proposal should be permitted. They also fail to identify an overriding public benefit in line with the above guidance. This architectural feature is not a requirement for the building or people of Farndon; it would neither sustain nor enhance the significance of this curtilage listed building and would harm the setting of the principal listed building. The clock tower would not mitigate any risk to the heritage asset or support its long term conservation. Given this I am comfortable in concluding that, notwithstanding the level of public support for this application, there is no public benefit for the purposes of the NPPF that can be identified through this proposal.

I would also highlight that the majority of the letters received supporting this application relate to the admiration of the active presence that the applicant has in Farndon and wanting to support his desire to construct this architectural feature - rather than the material planning considerations of the proposal itself. This local support is a reflection on the good nature of the applicant and I would like to highlight that NSDC are appreciative and supportive of active members of the community that continue to contribute to maintaining and enhancing the District, however, this planning decision must be made based on material planning considerations, to which this is not. My concern is that permitting a development that has been identified by the Conservation Officer, as our technical heritage expert, as causing less than substantial harm to a designated heritage asset based on a personal desire rather than an identified public benefit would set a dangerously harmful precedent for development throughout the District.

As such, in the context of the significance of the principal Listed Building and Conservation Area as a whole the application would lead to less than substantial harm, I cannot see any public benefit deriving from this addition (the host building in no way needing any such addition or restoration) and feel it should not be supported. As a result the application would be contrary to Section 72 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.

### *Impact upon Amenity*

The proposed clock tower is located to the NW of the property and on top of the garage which is single storey in scale. I consider that due to the scale and siting of the proposed development it would not cause any detrimental impacts upon neighbour amenity from overbearing impact, overlooking and loss of light in accordance with DM6 of the Allocations and development Management DPD.

I do however note that each clock face is proposed to be translucent and illuminated with a 40 watt light tube from within the tower. The illumination is proposed to be controlled by a light sensor. Residential properties, apart from the application site, are in excess of 23 m from the proposed clock tower and I also note that there is a level of screening afforded around the site by the trees on the village green to the SW and the boundary of the adjacent property to the N.

In addition I have contacted the Council's Environmental Health officer who has advised that from "the details provided I do not think that there should be a problem with illumination of the clock tower" in respect of impact on neighbouring amenity. As such the proposal is considered to be in accordance with DM6.

### *Other Matters*

Comments have been received from neighbouring occupiers and the Parish Council which are in support of the proposal and they have been duly taken on board. The comments raised relate to the positive impact the applicant has had on Farndon throughout the years and the work that he has done to improve and enhance the area. Comments also relate to the proposal being a welcomed and practical enhancement to the area. Whilst I acknowledge that the applicant is clearly an active member of Farndon and works hard to maintain the attractive aesthetic of the village the above matters raised regarding the impact on the character and appearance of the listed building and conservation area are overriding concerns that are not outweighed by the 'perceived' public benefit.

I sympathise with the applicant's desire to enhance the area and provide a clock which would be practical and provide a useful reference point for the village, however, it is my opinion that there could be a more suitable location to provide this type of structure that would not result in an unacceptable impact on the character and appearance of the conservation area or the special interest of the listed buildings.

I also note that comments have been received from an interested party that reference the comments made by the conservation officer in which they suggest that regardless of design alterations to the proposed clock tower, they would nevertheless sustain their objection to the principal of this development. The neighbour comments raise concerns regarding our lack of consideration for revised proposals to come forward and the commenter explains how this could disadvantage the applicant. Whilst I appreciate these comments I would reiterate that the conservation officer's comments were in objection to the principal of this type of development in this location, not the design of the proposed clock tower. The advice given from the conservation team was given in good faith and intentionally sets out the objection to the principal of development to save the applicant any expense of putting forward a revised proposal that would be resisted.

In any event, a meeting was held between the agent, applicant, case officer and conservation officer throughout the course of the previous application which looked at a revised example of a less ornate version of a clock tower (subsequently submitted within this application) and our advice was reiterated to the applicant that it is simply the principal of this type of development that would receive an objection, not the style of clock presented.

The commenter also references the Human Rights Act in particular Protocol 1, Article 1 and the responsibilities of the council under this Act – this part of the Act states that a person has the right to peaceful enjoyment of all their possessions, but which in this case not only includes the home but also other land, specifically the village green area. Whilst I appreciate the commenter is passionate about the improvement of Farndon, and is in support of the application at hand, the duties under the Human Rights Act do not outweigh other considerations of the alteration to and setting of a listed building and the impact on the conservation area in this instance.

### *Conclusion*

In conclusion I consider the proposed clock tower would be out of character of the outbuilding which would rival the principal listed building in status and features and would ultimately impact the setting of the principal listed building which at the moment is enhanced by its association with this simple, vernacular outbuilding suiting the principal building's own history and architecture. The proposed clock tower would look out of character, lack authenticity and detract from the attractive, simple and rustic character of this building, causing harm the architectural and historic interest of the host building; confusing the significance of the principal listed building and detracting from the character and appearance of the Conservation Area.

In the context of the significance of the principal Listed Building and Conservation Area as a whole the application would lead to less than substantial harm, I cannot see any wider public benefit deriving from this addition (the host building in no way needing any such addition or restoration) and as a result should not be supported. The application would be contrary to Section 72 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

As a result the proposal would fail to accord with Core Policy 9 and 14 of the CS and policy DM5, DM6 and DM9 of the ADMDPD and the proposed clock tower would fail to respect the historic character and significance of the host dwelling and surrounding listed buildings which would contrast with the status of the listed farmhouse, eroding the original significance and character of the traditional rural building.

### **RECOMMENDATION**

**That full planning permission is refused for the reasons stated below.**

01

In the opinion of the Local Planning Authority the proposed clock tower feature would be out of character with the traditional rural outbuilding upon which it is proposed. This development would rival the principal listed building in status and features and would ultimately have a harmful impact upon the setting of the principal listed building. The proposed clock tower lacks authenticity and would detract from the attractive, simple character of the vernacular building, causing harm to the architectural and historic interest of the host building and confusing the significance of the principal listed building and detracting from the character and appearance of the Farndon Conservation Area. The proposed works would cause less than substantial harm to

the significance of all designated heritage assets. There are no other material planning considerations or public benefits which outweigh the harm caused.

The proposal is therefore considered to be contrary to Core Policy 9 and 14 of the adopted Newark and Sherwood Core Strategy and Policies DM5, DM6 and DM9 of the Allocations and Development Management DPD which together form the Development Plan. It is also contrary to Section 72 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Planning Practice Guidance which are material planning considerations.

### **Notes to Applicant**

01

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.

02

For the avoidance of doubt this consent should be read in conjunction with Listed Building application ref. 18/01509/LBC.

### **BACKGROUND PAPERS**

Application case file.

For further information, please contact Honor Whitfield on extension 5827.

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Matt Lamb**

**Business Manager – Growth and Regeneration**

Committee Plan - 18/01508/FUL

