

## PLANNING COMMITTEE – 2 JULY 2019

<b>Application No:</b>	<b>19/00708/FUL</b>	
<b>Proposal:</b>	<b>Householder application for addition of 4 rooflights over kitchen area</b>	
<b>Location:</b>	<b>Manor Farm Barn, Beck Street, Thurgarton, Nottinghamshire, NG14 7HB</b>	
<b>Applicant:</b>	<b>Mr R Foster</b>	
<b>Registered:</b>	<b>11<sup>th</sup> April 2019</b>	<b>Target Date: 6<sup>th</sup> June 2019</b>

The application is reported to committee at the request of Councillor Roger Jackson for the following reasons:

- The application has the full support of the Parish Council;
- Manor Farm barn is not a listed building;
- The building also has 17 rooflights already in its roof and the 4 new ones are the smallest that Velux company make for conservation area houses.

### The Site

The application site comprises a converted barn which previously formed part of the wider Manor Farm estate. Manor Farm House is grade II listed and the barn, whilst now a residential unit, forms part of the listing and is identified as an 'exemplary residential conversion' in the listing appraisal. There is also a cart shed to the front of the site and a pigeon cote to the rear of the site which are grade II listed in their own right.

The dwelling is set back from the public highway and is F-shaped in plan form with a single storey converted cartshed (now forming the kitchen area) extending forward from the main two-storey barn. Neighbouring properties lie to the west and south-east of the site with the highway to the south-west and the boundaries with these are largely open with low boundary treatments.

The site also lies within the Thurgarton Conservation Area and within flood zones 2 and 3 of the Environment Agency Flood Risk maps.

### Relevant Planning History

19/00709/LBC - Addition of 4 rooflights over kitchen area (pending consideration)

18/01468/FUL & 18/01469/LBC - Replacement of existing gates to courtyards with new solid hardwood gates (applications withdrawn)

12/00089/LBC - Alterations to existing including a proposed canopy, adjustment of windows and doors, raising of internal floor level and replacement materials (permitted 13.03.2012)

11/01735/FUL - Householder application for alterations to existing outbuilding including a proposed canopy, adjustment of windows and doors, raising of internal floor level and replacement materials (permitted 13.03.2012)

10/01318/FUL - Householder application to erect two oak posts and oak farm yard style gate to match existing between garden wall and outbuilding (permitted 19.11.2010)

09/01703/FUL - Householder application for proposed outbuilding (permitted 27.01.2010)

06/01955/FUL - Creation of a wildlife pond (permitted 03.04.2007)

06/01933/FUL - Erection of outbuilding (permitted 02.03.2007)

06/01937/LBC & 06/01939/FUL - Single storey lean-to extension onto rear of existing barn, pedestrian gate to existing stone wall (permitted 28.02.2007)

06/01264/FUL - Retention of stone wall to rear (permitted 16.10.2006)

06/01156/LBC - Retention of stone wall to rear of existing barn (permitted 27.09.2006)

01/00376/FUL & 01/00377/LBC - Proposed conversion of farm buildings into dwelling with ancillary office/annexe (permitted 17.08.2001)

### The Proposal

The proposal seeks full planning permission for the installation of 4no. Velux conservation-type rooflights in the north-west (NW) and south-east (SE) roofslopes of the former cartshed attached to the main barn. The rooflights would measure 550 mm(h) x 980 mm(w) with conservation flashing and sash with the frame finished in black.

### Submitted Documents

The following plans and documents accompany the application:

- MFB001 v3.0 – Location Plan
- MFB002 v2 – Site/Block Plan
- MFB003 - Design and Access Statement

### Departure/Public Advertisement Procedure

Occupiers of 15 properties have been individually notified by letter. A site notice has also been

posted close to the site and an advert placed in the local press.

### Relevant Planning Policies

#### **The Development Plan**

*Thurgarton Neighbourhood Plan (adopted May 2017)*

Policy 1: New Development

Policy 6: Historic and Natural Environment

*Amended Newark and Sherwood Core Strategy DPD (adopted March 2019)*

Core Policy 9: Sustainable Design

Core Policy 14: Historic Environment

*Allocations & Development Management DPD (adopted July 2013)*

Policy DM5: Design

Policy DM6: Householder Development

Policy DM9: Protecting and Enhancing the Historic Environment

#### **Other Material Planning Considerations**

- National Planning Policy Framework 2019
- Planning Practice Guidance 2014
- Householder Development SPD 2014
- Conversion of Traditional Rural Buildings SPD 2014
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

### Consultations

**Thurgarton Parish Council** – Support the proposal

**NSDC Conservation Officer** –

### Legal and policy considerations

*Legal and policy considerations Sections 16 and 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.*

*Section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.*

*Policies CP14 and DM9 of the Council's LDF DPDs, amongst other things, seek to protect the historic environment and ensure that heritage assets are managed in a way that best sustains their significance.*

*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 – revised 2019). 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). LPAs should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas (paragraph 200).*

*Additional advice on considering development within the historic environment is contained within the Historic England Good Practice Advice Notes (notably GPA2 and GPA3).*

#### *Significance of heritage asset(s)*

*Manor Farm House is grade II listed (1045566) designated in March 1986. The listing description advises;*

*'THURGARTON BECK STREET SK 64 NE (north side) 4/94 Manor Farm House G.V. II Farmhouse. Mid C18 with some C19 alterations. Red brick. Slate roof. 2 gable and single ridge red brick stacks. Raised, brick coped gables with kneelers. Dentil eaves. 2 storeys plus garret, 6 bays. First floor band. Having from left to right a single glazing bar sash under a segmental arch, a doorway with part glazed door with evidence of a former opening with segmental arch over, a single similar sash and arch, a doorway with part glazed door flanked by single rusticated brick buttresses, a single glazing bar Yorkshire sash under a segmental arch and a single C20 glazing bar tripartite casement. Above are 3 glazing bar Yorkshire sashes under segmental arches, to the right is a single small oval glazing bar casement and further right 2 similar Yorkshire sashes under segmental arches'.*

*The site is also located in Thurgaton Conservation Area which was designated in 1983. The appraisal was reviewed in 2008. The property is located on Beck Street, the appraisal describes the street as a*

*'Beck Street is a very attractive Street where access is gained to the cottages on the north side of the Road by stone and brick bridges over the beck'*

*'The regularity of the row on Beck Street suggests an early date, and possibly a deliberate phase of planning along Beck Street. Also before Nottingham Road was re-routed, Beck Street was the road to Nottingham, and as such would have provided a suitable focus for settlement'*

*'The view to the east along Beck Street is picturesque and idyllic where the beck runs along the side of the road with the attractive traditional cottages behind. The scene has almost a "chocolate box" quality'*

*The appraisal mentions Manor Farm House 'Manor Farm House at the top of Beck Street is prominent and imposing and forms part of the Manor Farm Group. The barns relating to the House are an exemplary residential conversion but the pigeon cote and cart shed remain original. The whole group makes a positive and significant contribution to the street scene'*

### Assessment of proposal

*The application is for four rooflights on the cartshed range that projects south from the principle barn. The rooflights will be very visible within views along Beck Street due to the openness of the area. As the cartshed is single storey this will mean the proposed rooflights will be even more in the eye line.*

*The proposal will harm to the character and appearance of the conservation area and the listed building. The proposal therefore is contrary to the objectives of preservation required under sections 66 and 72 of the Act. In addition the proposal does not follow the heritage objectives contained within the Council's LDF DPDs and section 16 of the NPPF.*

**Third party representations** - a letter has been received in support of the application from a local resident.

### Comments of the Business Manager

### **Principle of Development**

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, at its council meeting on 16<sup>th</sup> May 2017 Newark and Sherwood District Council adopted the Thurgarton Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Thurgarton. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

The proposal relates to a householder development which is accepted in principle by Policy DM6 subject to an assessment against a number of site specific criteria including the impact of the proposal on visual amenity including the impact on the listed building and Conservation Area.

### **Impact upon Character of Area**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “in considering whether to grant planning permission for development which affects a listed building or its setting, 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”. In addition, section 72 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Policy CP14 of the Core Strategy requires continued preservation and enhancement of the character, appearance and setting of Listed Buildings and the preservation of the special character of Conservation Areas. Policy DM9 of the DPD requires local planning authorities to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas and the desirability of preserving the architectural or historic interest of Listed Buildings.

Manor Farm Barn is a prominent building along Beck Street and is highly visible from the public realm owing to the low boundary treatments to the front and side of the site. The building is curtilage listed with separate listed buildings also within the site (pigeon cote and detached cartshed). The barn was converted in c.2002, having previously formed part of Manor Farm House, and within the appraisal for the farm house on the National Heritage List for England, the converted barn is praised for its exemplary residential conversion and as such any proposal to detract from the current standard of conversion is unlikely to be considered appropriate as it would not preserve or enhance the setting of the listed building or conservation area, as required by Policy DM9 of the DPD and Core Policy 14 of the Amended Core Strategy.

Policy 6 of the Thurgarton Neighbourhood Plan makes reference to preserving the ‘picturesque qualities of Beck Street’ and the views along the beck which runs alongside the highway.

The setting, as defined by the NPPF, is relative to the importance of the heritage asset and its surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage; due to the proximity of various listed buildings and the designated conservation area, I consider the setting of Manor Farm Barn to be sensitive; paragraph 13 sets out the importance of setting.

In accordance with the Council’s Conversion of Traditional Rural Buildings SPD, alterations to existing fabric must be kept to the minimum necessary to facilitate the use and the introduction of flush rooflights would only be acceptable where they are used with restraint and placed in discreet positions. If the overall effect of a particular proposal destroys the essential character of the building, then it is unlikely to be not be supported by the LPA.

I note that the building currently has several small rooflights. These were considered necessary to facilitate the conversion back in 2002. Looking through the previous Officer’s report, these were considered the minimum required and amendments had been requested to reduce the number of rooflights during the course of the application to ensure that minimal fabric was disturbed, with a balance between heritage issues and building regulations being met.

The proposal put forward seeks to install windows above a kitchen area which already benefits from full height glazing in the former cartshed openings and as such I am of the view that the proposed rooflights would result in more openings than necessary for the building, which would fail to accord with the SPD guidance. The openings would be readily visible from the public realm and cumulatively would, in my view, have a significant impact upon the traditional character of the building when taken in to account with the existing openings and as such would erode the historic significance of the building. The visibility of the rooflights is also a concern for the Council's conservation team and thus it is considered that the proposal would not preserve the character and appearance of the historic setting and thus it is considered that the proposal would fail to preserve the character and appearance of the historic setting, thus failing to comply with paragraph 13 of the NPPG.

Paragraph 196 of the NPPF where a development would lead to less than substantial harm to the significance of a heritage asset (which I believe the proposal does) the harm should be weighed against the public benefits of the proposal. No justification for the rooflights has been put forward by the application and as such I can see no public benefit that would outweigh the harm to the listed building, as required by paragraph 196 of the NPPF. I am therefore of the view that the proposal would be contrary to Core Policy 14 of the Amended Core Strategy, Policy DM9 of the DPD and the NPPF.

### **Impact upon Residential Amenity**

Policy DM6 of the DPD states that development proposals should ensure no unacceptable reduction in amenity upon neighbouring development. The NPPF seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

The proposed rooflights would be installed on a single storey element which is set some distance from neighbouring properties. Given the height at which they would be installed and the separation from neighbouring properties, I would not expect the proposal to have any adverse impact upon neighbour amenity.

On the basis of the above, I am satisfied that the proposal complies with Policy DM6 of the DPD, however this does not outweigh the harm to the listed building identified above.

### **Impact upon Flood Risk**

The site lies within flood zones 2 and 3 of the Environment Agency Flood Maps. Core Policy 9 expects development proposal to pro-actively manage surface water. Core Policy 10 requires new development to minimize its potential adverse impacts including the need to reduce the causes and impacts of climate change and flood risk.

As the proposal relates solely to new window openings, with no additional floorspace proposed, I do not consider the proposal to have any implications for flood risk.

### **Planning Balance and Conclusion**

The proposal is for the installation of 4no. rooflights to the existing dwelling. The proposal is also assessed under listed building consent application 19/00709/LBC.

The proposal is considered to be unacceptable in terms of its impact upon the integrity of the listed building and its surrounding historic setting as further window openings to the former barn would result in a cluttered appearance and would be highly visible from the public realm. The additional windows are also considered to result in openings that are more than the minimum necessary for the residential use, thus eroding the historic significance of the building, with no justification for the rooflights that would outweigh the harm identified and therefore does not meet the requirement of paragraph 196 of the NPPF.

The proposal therefore fails to accord with Sections 66 and 72 of the 1990 Act, along with Policy 6 of the Thurgarton Neighbourhood Plan, Policy DM9 of the DPD and Core Policy 14 of the Amended Core Strategy and as such is recommended for refusal.

### **Recommendation**

**That full planning permission is refused for the following reason;**

#### **Reason for Refusal**

01

In the opinion of the Local Planning Authority the proposed rooflights would result in alterations to the fabric of the building which go beyond the minimum required for the residential use of the former barn and would therefore result in a cluttered appearance that would erode the historic significance of the building. The additional openings would result in less than substantial harm to the significance of this designated heritage asset and there is no public benefit identified that would outweigh this harm, as required by paragraph 196 of the NPPF. The proposed development would therefore be contrary to Policy 6 of the Thurgarton Neighbourhood Plan (2017), Core Policy 14 of the Newark and Sherwood Amended Core Strategy (2019), Policy DM9 of the Newark and Sherwood Allocations and Development Management Development Plan Document (2013), which together form the Development Plan as well as being contrary to the Newark and Sherwood Conservation of Traditional Rural Buildings Supplementary Planning Document (2014) and the National Planning Policy Framework (2019) 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

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)

03

This permission should be read in conjunction with listed building consent reference 19/00709/LBC.

BACKGROUND PAPERS

Application case file.

For further information, please contact Nicolla Ellis on Ext 5833.

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**

**Director Growth & Regeneration**

