

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

REF NO: AL/86/21/L

LOCATION: Norton Farm House
Norton Lane
Norton
PO20 3NH

PROPOSAL: Listed building consent for the subdivision of existing building to create 2 bedroom dwelling, construction of detached garage/workshop, external & boundary works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to sub-divide the Grade II listed building (farmhouse and extensions) and convert the L-shaped single storey later extension into a self-contained 2 bedroom separate residential unit. This application proposes no connecting door being retained between the Farmhouse and the new residential unit in the converted extension. The conversion of the extension to a dwelling will entail various internal alterations. Also proposed are various external alterations, including;

- Construction of a new entrance porch to the west elevation, replacement of single door with window, and replacement of window with 4 panel French doors.
- Removal of two windows and replacement with three altered windows and infilling of existing garage doors on the north elevation.
- Replacement of one window with new altered window, infilling of one existing window, and replacement of one window with two panel French doors.
- Addition of 3 velux rooflights on south elevation.

Also proposed is a detached garage/workshop building, with brickwork elevations, tiled roof and 2 large fibreglass garage doors. As not attached to the building Listed Building Consent is not required.

The application proposed boundary treatments to the south consisting brick piers and splayed brick walls and a pair of tongue and grove Oak timber gates with vehicular access off Old Dairy Lane, and to the north of the new residential unit and garage building a boundary to separate these from the garden grounds of the main farmhouse and which consisted of brick piers, brick walling, and timber fence panels with lattice curved tops (the boundary treatment drawing has been

withdrawn).

Also proposed is an area of hardstanding/paving to the north of the garage/workshop building.

Some of these works have commenced, however a retrospective application has not been made to retain these works and as such, at this stage, the Council must consider the plans submitted and before them in the decision of this application.

SITE CHARACTERISTICS

Detached, three storey, brick and flint, Grade II listed farm house to the west of Norton Lane. The property is in spacious grounds, with a gravel driveway to the front and garage, enclosed by a brick and flint wall and hedge to the frontage with Norton Lane. The property has a conservatory and at the rear/side there is an L-shaped single storey 1990s extension, which has brick and flint elevations and a tiled hipped/flat roof.

CHARACTER OF LOCALITY

Semi-rural character, with mix of dwellings and farmland, on the outskirts of Norton. To the east and west there is open farmland. To the north there is a scattering of dwellings and to the south a collection of dwellings off Old Dairy Lane and a number of small work units in the former Norton Dairy. Within Norton Conservation Area.

Planning permission and Listed Building Consent were granted in 2020 for the sub-division of the building and conversion of the extension into a 1 bed residential unit with connecting door to main house and some minor external alterations, and the construction of an oak framed, larch feather edged weather-boarded detached car port/workshop. This application differs in a number of key respects, as detailed in the description of development in this report above.

REPRESENTATIONS

Aldingbourne Parish Council - Objection. Out of character in the setting of a listed building, and overdevelopment of the site (conflict with ANDP policies H3, EH8, & EE7). Design includes windows/doors which impact on dark skies area (conflict with ANDP policy EH10). This development has been subject to enforcement action which Arun DC have failed to impose and the PC wishes Arun DC to explain why this is a new application whereas it should be a retrospective application as the majority of works have been completed.

1 letter of objection was received, summarised as follows:

- Gateway to south east was not in existence, was only occasional access through timber fence panel, new gateway.
- Garage has been built, not in accordance with approved plans, is higher and not in approved materials, and is not in keeping with listed building.
- Proposed boundary wall not in keeping with listed building.
- Question need for further garage to serve existing main house, concerns garage will be used as additional residential unit.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in Conclusion section of report.

Additional officer comments as follows:

- Not considered over-development given the overall size of the grounds nor overly dense housing plot so not in conflict with ANP policy H3. However, scale of garage itself is considered excessive.
- ANP policy EH8 not relevant as relates to non-designated heritage assets, these are designated. Policy EE7 not relevant as relates to rural buildings for conversion to other uses, not residential.
- Re ANP policy EH10, no external lighting is proposed and this could be controlled by condition. Already existing openings in existing outbuildings. No harmful impact to dark skies/unlit environment.
- Some works have commenced, with the new garage building being substantially built, and that these works do not accord with the approved plans. The Council must consider the plans submitted in this application. This will not prevent further enforcement action being taken.
- The description of development and submitted plans describe/show the new building as a garage/workshop rather than a dwelling. The application must be determined on the basis of submitted plans. Any breach i.e. use as a separate dwelling instead of a garage would be subject to potential enforcement action.
- There was a vehicle access/double gates to site from Old Dairy Lane, no material increase in traffic as a result of proposal, but agree further hard landscaping/piers/gates now have been constructed and forms consideration of this application as per submitted plans.
- The boundary treatment (northern) was inappropriate in the setting of Listed Building, this drawing has been withdrawn from the application and boundary treatments could be secured by condition.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

CONSERVATION OFFICER: The application would result in harm to heritage assets, arising from the new garage building's height and materials, the extension's rooflights, the boundary treatments and window design. This harm can be classed as 'less than substantial' harm, as defined in para 202 of the NPPF 2021. As per the NPPF, there is a need in the assessment of the application to balance any public benefits against the less than substantial harm, along with the contents of the Planning (Listed Building and Conservation Act) Act 1990 as amended.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in the Conclusion.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area

Countryside

Grade II Listed Building

Norton Lane Conservation Area

Lidsey Waste Water Treatment Catchment Area

Minerals Consultation Area

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.

The relevant policies of the Aldingbourne Neighbourhood Plan 2 (made 2021) have been considered in the assessment of this application.

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 conflict with this legislation in that it is considered to materially affect and fail to preserve the significance and setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. This is in the form of para 202 of the NPPF which states where the harm to heritage assets is less than substantial this must be weighed against any public benefits of the scheme.

CONCLUSIONS**KEY ISSUES:**

- Impact on significance including setting on Grade II listed building

HERITAGE:

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority 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.

ALP policy HER DM1 states listed building proposal should preserve or enhance the historic character, qualities and special interest of the buildings; which includes d. Protect the special interest of buildings of architectural or historic interest; and e. Protect, and where possible enhance the setting of the building.

NPPF (2021) para 194 states in determining applications, Local Planning Authorities (LPA) should require an applicant to describe the significance of any heritage assets affected, including any

contribution made by their setting. Para 195 requires LPAs identify and assess the particular significance of any heritage asset which may be affected. Para 199 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...This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." In respect of less than substantial harm, para 202 states "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 including, where appropriate, securing its optimum viable use."

A Heritage Statement has been submitted. Whilst this seeks to describe the significance of the listed building and conservation area, as required by para 194 of the NPPF, it does not successfully assess the impact of the proposal on these heritage assets. For example, it states "there is an opportunity to raise the quality of the finishes in the alterations envisaged to the principal elevations of these single storey sections of the building" (i.e. the 20th century extension), when in fact the application as proposed would reduce the quality and harm the appearance of these elevations of the existing extension. In addition, it states "The detached garage/workshop building proposed...is of a traditional design and form and constructed of materials sympathetic to the original building". These are considered by the LPA to be inaccurate statements and conclusions in respect of the harm caused to heritage assets as a result of the scheme.

The Conservation Officer assessed the significance of the heritage assets in their comments, as required by NPPF para 195. Norton Farm House is identified as being a late C18, two storeys (and attic), detached Grade II listed house. It is faced with flints with red brick dressings and quoins with a tiled roof. There is an earlier wing at the back of the house along with a modern late C20 extension as well. The building is of aesthetic significance.

The Conservation Officer concluded no harm to the listed building (subject to planning conditions to secure details) in the following respects;

The conversion of existing extension into a separate residential unit: a review of historic mapping indicates that the majority of this element of the proposal affects a late C.20 extension which is located to the side of the main listed building. The historic mapping indicates that the west elevation would have been present earlier. Previous consent was granted for the creation of a one bedroomed unit, whereas the current application proposes a 2 bed unit. The proposed floor plan indicates that (unlike the previous application) the intention is for the new residential unit to be completely separate from the existing property i.e. existing doorway between would be blocked up and no connecting door would remain to the main building. Further, the plan indicates that the main entrance would be via the west elevation, utilising the new porch. The internal alterations are such that they appear to affect the modern built fabric (and do not substantially alter the previously approved layout) and are acceptable.

The new porch to the west elevation is in itself acceptable, and the success of this element would rely to the quality of the materials used and details such as the design of the door. All new flintwork and works of making good of the flintwork would need to match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing. The pointing of the brick dressings would need to match the colour, texture, lime content and style of the original brick pointing. Prior to works commencing, a sample panel of flintwork would need to be constructed on the site and approved in writing by the Local Planning Authority, which could be secured by planning condition. The flintwork comprised within the development would need to be carried out and completed to match the approved sample flint panel. The west elevation also involves the creation of a large new opening to enable some bi-fold doors as well as a smaller opening for a casement window. As this elevation would appear to be modern fabric, this element is considered acceptable. However, the success of this alteration would relate to the quality of the joinery and materials used. All flint work to be

removed to create the new/larger openings on any of the elevations should be re-used elsewhere in the development e.g. the new porch for which a planning condition could be used to control this.

The north elevation would be altered in order to remove one window and replace it with two. There is no significant concern about the introduction of an additional window as it affects a modern extension, and if executed to a high standard, would have a neutral impact. The infilling of the garage door would be acceptable, subject to the quality of the flintwork to be used. Details of this would be required by way of planning condition.

The eastern elevation also would be altered, partly through alteration to the two existing windows, but also the creation of a set of French windows. The latter would require an existing opening to be enlarged, which is unfortunate, but if undertaken sensitively, could be acceptable (the success would be subject to the use of quality of joinery and materials). This would require the existing Brick quoining pattern to be followed around the new opening. Further, the existing flints which are removed for this opening would need to be used to infill the window opening that is proposed to be closed. This opening which is proposed to be infilled should be slightly recessed so that this element of the design can be read as a 'blind window' and this would need to be confirmed or secured by planning condition.

Notwithstanding the above comments, the Conservation Officer identifies harm to the listed building as a result of the proposals on the number of levels, as follows;

The plans indicate the replacement of all windows in the existing extension. The existing windows in the potential new unit and the existing main farm house are multi-paned and contribute towards its character/appearance. The replacement windows/doors would be larger and single paned which would be out of character with the listed building and harm its significance and setting.

The new garage building is of brick construction and tiled roof (as opposed to the oak framed larch featheredge boarded carport, approved in 2020, which would have had a more traditional and sympathetic appearance). The north elevation of this new building essentially looks like a standard brick built garage, with two large fibreglass doors, with horizontal sections folding upwards. The current design is of a suburban appearance, is out of character and harmful to the visual amenity and heritage assets in the surrounds. The garage doors are of an inappropriate design and materials which do not reflect or suit the context of the application site and would harm the significance and setting of the listed building.

The new garage building is also higher than the adjacent building i.e. the single storey later addition to the listed building which would become a separate unit (as opposed to the car port, approved in 2020, which would have been lower in height than this adjacent building). The new building would therefore appear more visually prominent and harmful in views looking towards the listed building, again harming its significance and setting. However as it is not attached to the building can not form part of this consideration.

SUMMARY:

The proposal results in harm to the significance and setting of this Grade II listed building arising from the window/door replacement and the new garage building's height, design and materials. This harm can be classed as 'less than substantial' harm, as defined in the NPPF 2021. As per para 202 of the NPPF, there is a need in the assessment of the application to balance any public benefits against the less than substantial harm.

The proposal, taken as a whole, includes the creation of a dwelling and results in public benefits in the form of an increase to the housing supply, Council tax receipts, local spending, CIL contributions to infrastructure and construction jobs etc.

There are no public benefits which outweigh the less than substantial harm that would result. Great weight has been given to the conservation of the significance of the heritage assets, irrespective of the level of harm being less than substantial, as required by NPPF para 199. The proposal fails to preserve the significance and setting of the listed building, in conflict with the Planning (Listed Building & Conservation Areas) Act 1990 as amended, the NPPF 2021 and Arun Local Plan policies HER SP1 and HER DM1.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The additional/replacement windows/doors adversely affect the significance of a Grade II listed building. This 'less than substantial' harm would not be outweighed by any public benefits of the scheme, as required to be considered in paragraph 202 of the NPPF. The application conflicts with the Planning (Listed Building & Conservation Areas) Act 1990 as amended, the NPPF (2021) and policies HER SP1 and HER DM1 of the Arun Local Plan (2018).