



## REGULATORY SERVICES COMMITTEE

24 August 2017

**Subject Heading:**

P2045.16 - Upper Bedfords Farm, Lower Bedfords Road

Demolition of the redundant former agricultural and storage buildings and redevelopment, including conversion of barn 1, to provide 8 new residential dwellings, with associated landscape, access and parking (Received 23/12/16, revised plans received on 5/6/17 and 21/6/17)

**Ward**

Havering Park  
Steve Moore  
Director of Neighbourhoods

**SLT Lead:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework  
National Planning Practice Guidance

**Financial summary:**

Not relevant

### The subject matter of this report deals with the following Council Objectives

Communities making Havering  
Places making Havering  
Opportunities making Havering  
Connections making Havering

[x]  
[x]  
[x]  
[x]

## SUMMARY

This report considers an application for the provision of 8 new dwellings within the Green Belt and the Havering Ridge Special Character Area. The proposal concerns the demolition of existing former agricultural barns and the conversion of some older farmyard buildings. The site lies within in the curtilage of the Grade II listed Upper Bedfords Farmhouse. The development would result in an overall reduction in the volume of buildings on site and improve the overall appearance of the area. It would also result in a long term use being established for two of the curtilage listed outbuildings. The overall impact on the Green Belt would be materially reduced which together with the heritage benefits is considered to amount to the very special circumstances that would outweigh any harm. Staff consider that, as a matter of judgement, the proposals would be acceptable. The grant of planning permission is recommended subject to the prior completion of a S106 planning obligation and planning conditions. Should members agree the recommendation then the Secretary of State would need to be consulted given the size of the development in the Green Belt.

## RECOMMENDATIONS

1. That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £23,520.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations, by 24 December 2017, and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:
  - A financial contribution of £48,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document Technical Appendices.
  - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- The Developer/Owner to pay the appropriate planning obligations monitoring fee prior to the completion of the agreement.

Subject to the Secretary of State not issuing a direction in respect of the application, that the Director of Neighbourhoods be authorised to enter into a planning obligation to secure the above and upon completion of that obligation, grant planning permission subject to the conditions listed below:

1. *Time limit* - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. *Accordance with plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

3. *Materials* - No above ground development shall commence until samples of all materials to be used in the external construction of the buildings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. *Landscaping* - No above ground development shall commence until a detailed scheme for the hard and soft landscaping of the site, including the upgrading of the site access roadway has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are

removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application on the details of proposed landscaping to enable its acceptability to be judged. Submission of a scheme prior to commencement will ensure that the development accords with Section 197 of the Town and Country Planning Act 1990 and Development Control Policies Development Plan Document Policy DC61.

5. *Refuse and recycling* - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan.

6. *Cycle storage* - Prior to the completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability in accordance with Policy DC36 of the LDF Development Control Policies Development Plan Document.

7. *Boundary treatment* - No above ground development shall commence until details of proposed boundary treatment, including fencing to define residential curtilages have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment and residential curtilage fencing shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment and the size of residential curtilage. Submission of this detail prior to commencement will protect the visual amenities of the development, protect the openness of the Green Belt and landscape character of the area and ensure that the development accords with the Development Control Policies Development

Plan Document Policies DC61 and DC63 and the guidance in the National Planning Policy Framework.

8. *Secure by Design* - Prior to the commencement of the development hereby approved a scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a scheme prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

9. *External lighting* - No dwelling shall be occupied until a scheme for the lighting of external areas has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The lighting once installed shall be retained thereafter for the lifetime of the development.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity, the visual and wildlife interest of the countryside and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. *Hours of construction* - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. *Vehicle cleansing* - No works shall take place in relation to any of the development hereby approved until wheel scrubbing/wash down facilities to

prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.

b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.

c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.

d) A description of how vehicles will be cleaned.

e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.

f) A description of any contingency plan to be used in the event of a breakdown of the wheel washing arrangements.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61 Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained and used at relevant entrances to the site throughout the course of construction works.

12. *Construction methodology* - The development hereby permitted shall not be commenced, including any demolition, until a scheme for a construction and demolition management plan to control the adverse impact of the development, including the demolition of site buildings and ground clearance works, on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:
- a) parking of vehicles of site personnel and visitors;
  - b) storage of plant and materials;
  - c) dust management controls
  - d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
  - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
  - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
  - g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
  - h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction and demolition methodology. Submission of details prior to commencement will ensure that the method of construction and demolition protects residential amenity and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

13. *Ecology* - No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority indicating how the development will be undertaken in accordance with the recommendations of the submitted ecological assessment dated 2/12/2016. The development shall be undertaken in accordance with the approved details.

Reason: Insufficient information has been supplied with the application on how the recommendations of the assessment would be implemented and agreement of details prior to commencement is necessary to protect the nature conservation interests of the site in accordance with Development Control Policies Development Plan Document Policies DC59, DC60 and DC61 and the guidance in the National Planning Policy Framework.

14. *Bat and Bird Boxes* - No above ground development shall commence until a scheme has been submitted to and approved in writing by the local planning authority relating to the proposed installation of bat and bird boxes within the development. The development shall be undertaken in accordance with the approved details and retained for the life of the development.

Reason: In the interests of nature conservation in accordance with Development Control Policies Development Plan Document Policies DC59, DC 60 and DC61 and the guidance in the National Planning Policy Framework.

15. *Further Bat Survey* - Should demolition works at the site not be commenced within one year of the date of this permission, then a further bat survey shall be undertaken and submitted and approved in writing by the local planning authority prior to any demolition works taking place.

Reason: In the interests of nature conservation in accordance with Development Control Policies Development Plan Document Policy DC59 and the guidance in the National Planning Policy Framework.

16. *Demolition* - No works of construction in relation to the erection of the new dwelling houses hereby permitted shall take place until all of the existing buildings not being retained have been demolished.

Reason: In the interests of maintaining the openness of the Green Belt, and in accordance with the guidance contained in the National Planning Policy Framework

17. *Access improvements* - No part of the development hereby permitted shall be occupied until the site access onto Lower Bedfords Road has been upgraded in accordance with details that shall have been submitted to and agreed in writing by the local planning authority. The upgraded access shall be retained for the lifetime of the development.

Reason: Insufficient information has been submitted with the application to demonstrate that vehicles can safely enter and leave the development. Improvements are considered necessary in the interests of highway safety and in order that the development accords Development Control Policies Development Plan Document Policy DC32.

18. *Tree and Hedgerow protection* - No development shall take place until a scheme for protecting the site's existing trees and hedgerows has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such for the life of the development.

Reason: In the interests of nature conservation and the healthy retention of existing flora in accordance with Development Control Policies Development Plan Document Policy DC59 and the guidance in the National Planning Policy Framework.



19. *Archaeology* - No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and;

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance the programme set out in the WSI.

Reason: The archaeological interest in the historic buildings on the site should be conserved. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of a historic building investigation and the subsequent recording of the remains prior to development, in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

20. *Permitted development restriction* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason: To provide satisfactory off-street parking at the site, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

21. *Permitted development restriction* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

22. *Permitted Development Restrictions* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, Article 3, Schedule 2, Part 1, (or any order revoking and re-enacting that Order with or without modification) Classes A to E, no enlargements, improvements or other alteration shall take place to the dwellinghouses and no outbuildings or other means of enclosures shall be erected within the garden areas of the dwellinghouses, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In the interests of protecting the openness of the Green Belt and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

23. *Visibility splays* - 2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

24. *Access* - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

25. *Water efficiency* - All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations – Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

26. The fifth new build house, be that house 3, 4, 5, 7 or 8 shall not be occupied until such time until the works to houses 1, 2 and 6 as shown on drawing 1034-PL-GA-0003 Rev C – Proposed Site Plan has been substantially completed.

Reason – To ensure that the setting of the Listed Building is enhanced and to ensure that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC67 and the guidance in the National Planning Policy Framework.

## INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated on site with Steve Walters and John Lyall on 27 April 2017 and submitted on 5<sup>th</sup> and 21<sup>st</sup> June 2017. The revisions involved a redesign of the majority of the buildings on the site.
2. Planning obligation - The planning obligations required have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
  - (a) Necessary to make the development acceptable in planning terms;
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development.
3. Temporary use of the highway - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
6. The grant of planning permission does not discharge the requirements of the New Roads and Street Works Act 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.
7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request is needed.
8. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.

9. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
10. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.
11. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
12. The written scheme of investigation required by condition 19 will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.
13. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities.

For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-andnumbering.aspx>

## REPORT DETAIL

1. **Site Description**
  - 1.1 The application site lies within the Green Belt to the north of Lower Bedford Road. The site is broadly rectangular with an area of 1.6 hectares occupying a relatively high spot on the Havering Ridge and is accessed along a single carriageway unmade access track to the south from Lower Bedfords Road. The site itself is relatively flat and comprises a cluster of

former agricultural buildings centred around the Grade II listed farmhouse which dates from the mid-19<sup>th</sup> century. Those buildings nearest the farmhouse are older and are curtilage listed; some are used for purposes ancillary to the residential use. One of these, a timber framed barn which is contemporary with the original farmhouse, is in a poor state of repair with its partially collapsed roof supported by scaffolding. The others which are further away are larger and more recent. There is also a Nissen style building which is in a derelict condition.

1.2 The area around the buildings is generally well vegetated with a belt of trees around much of the western, southern and part of the northern boundary of the site. The wider area around the site is predominantly rural bordered by open countryside to the north and east, beyond a single neighbouring dwelling. To the south are open fields with Bedfords Park to the west.

1.3 For the purposes of describing the development within the report the following buildings are identified:

- Barn 1 is a curtilage listed 18<sup>th</sup> century single storey timber framed barn located opposite to the north of the listed building. A substantial section of the roof timbers and roof are currently supported by scaffolding having partially collapsed. (curtilage listed)
- Barn 2 is a large open sided barn of steel and concrete construction with a corrugated roof with hardstanding in front located towards the north west of the site and is of no heritage value.
- Barn 3 is a “Nissen” style building in a state of dilapidation located towards the northern edge of the site and is of no heritage value.
- Barn 4 is a two storey brick built structure incorporating elements of differing ages with the oldest element being on the eastern side facing onto the farmhouse rear courtyard (curtilage listed)
- Barn 5 - two storey corrugated barn (modern)
- Barn 6 - two storey corrugated barn (modern)
- Barn 7 - single storey brick built (modern)

## 2. **Description of Proposal**

2.1 It is proposed to demolish the more recent barns (barns 2, 5 and 6), the Nissen building (barn 3) and single storey building (barn 7) and convert/re-build two curtilage listed buildings Barns 1 and 4 to provide three new dwellings together with five new build houses.

2.2 The development would provide seven four-bed and one two-bed dwellings. The timber framed barn (Barn 1) would be taken down and part restored

and reused in a new building of similar scale that would provide two of the units. The lean-to buildings currently used as a garden store would be replaced by a single storey two-bed dwelling. Barn 4 would be incorporated into a new dwelling on the western side of the farmyard. The remaining dwellings would be located around the site on the footprint of the more recent barns.

- 2.3 The new dwellings would all be individually designed whilst sharing the common theme of a contemporary agricultural vernacular with timber cladding under a pitched tiled or zinc clad roof. Parts of the exterior would be in louvered timber to replicate the existing barns. The access road would be upgraded by paving and inclusion of passing places.

### 3. **Relevant History**

- 3.1 L0016.16 - Listed building consent application for the demolition of the redundant former agricultural and storage buildings within the curtilage of Grade II listed Upper Bedfords Farmhouse and conversion of existing barns to form 3no. new dwellings - current

### 4. **Consultations and Representations**

#### *Representations*

- 4.1 There have been two letters of representation one in support and the other providing comments as follows:

- Close to the walled garden of Bedfords Park;
- Concerns about avoiding the bird breeding season should development take place;
- Concerns of impact of new buildings on the listed farmhouse and historic landscape;
- Impact on badger sett within the site;
- Impact on barn owls breeding in vicinity so would welcome measures to retain nest sites and nesting boxes;
- Impact on bats if trees removed;
- Impact on Great Crested Newts;
- Lack of public transport in locality - suggests financing a new bus stop
- Would bring old buildings back into use;
- Remove ugly looking buildings;
- Improve access road;
- Development would assist in the security of the area.

- 4.2 Comment on representations:

- The issue of the impact on local wildlife has been addressed in the application and measures are proposed to protect this in the

development. Conditions would be imposed to restrict development during sensitive periods;

- The heritage issues are addressed in detail in the report

### Consultation Responses

- 4.3 Metropolitan Police Designing out Crime Officer - no objections. Recommends low level fencing given rural area and application for secured by design award.
- 4.4 Essex and Suffolk Water no objections
- 4.5 Streetcare (Highways) - no objection in principle, but recommend discussions with waste collection team on access.
- 4.6 Historic England (Archaeology) - recommend condition on scheme for recording details of historic building prior to dismantling.
- 4.7 London Fire Brigade - recommend that two additional fire hydrants would be required.
- 4.8 Essex County Council Place Services - Initial advice recommended refusal without amendment. Insufficient details on building to be dismantled and the other older barn should be retained. No objections to the demolition of other barns as they do not make a positive contribution to the setting of the listed farmhouse. The replacement of the garden store should be single storey. Proposed replacements not consistent with agricultural vernacular and should be replaced with a single simple form. Following amendment of the plans revised advice is that the proposals are considered to sustain the setting of the listed building, retaining its agricultural character. The proposals for Barn 1 are considered to retain its significant fabric and enhance its character within the setting of the listed building. Overall the proposals are considered to have a beneficial impact upon the setting of the listed building by sustainably conserving significant curtilage listed fabric and retaining a suitable setting.

## 5. Relevant Policies

### 5.1 Local Development Framework (LDF):-

Core Strategy and Development Control Policies Development Plan Document (DPD) Policies CP1 (Housing Supply); CP16 (Biodiversity and geodiversity); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC32 (The road network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC45 (Green Belt); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water supply, drainage and quality); DC53 (Contaminated Land); DC55 (Noise); DC58 (Biodiversity and geodiversity); (DC61 (Urban Design); DC62 (Access);

DC63 (Delivering Safer Places); DC67 (Buildings of Heritage Interest), DC69 Other areas of special townscape or Landscape character) and DC72 (Planning obligations).

5.2 Evidence base to the Planning Obligations SPD; Residential Design SPD, Designing Safer Places SPD; Landscape SPD; Sustainable Design and Construction SPD & Heritage SPD.

5.3 London Plan:-

Policies: 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (Children and young people's play and informal recreation); 5.3 (Sustainable design and construction); 6.13 (Parking); 5.21 (Contaminated land); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.3 (Designing out crime); 7.8 (Heritage Assets and Archaeology) 7.16 (Green Belt); 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.

5.4 National Policy Documents:-

- Nationally described space standards;
- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG).

## 6. **Staff Comments**

### Principle of the development

6.1 The site is located within the Green Belt where new buildings would normally be considered inappropriate development which would cause material harm. Such development should not normally be permitted unless the harm would be clearly outweighed by other considerations.

6.2 The guidance in the NPPF is that there are some exceptions to this where new development may not be inappropriate, including:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.3 The NPPF also advises that the re-use of existing buildings is also not inappropriate development, provided that they are of permanent and substantial construction. Extensions or alterations to buildings are also acceptable, so long as this does not result in disproportionate additions over the size of the original. LDF Policy DC45 restricts new built development in the Green Belt to those essential for agriculture, forestry and outdoor



recreation. Replacement and extension of existing buildings would also be acceptable.

- 6.4 Part of the development involves the re-use of buildings currently in use (Barns 4 and 7), extensions to them, and replacement, which as described above, is not deemed to be inappropriate development in the Green Belt. However, insofar as the proposal involves elements of redevelopment, the definition of brownfield land excludes land that is or has been occupied by agricultural buildings. The site includes land occupied by former agricultural buildings; therefore, this element of the proposal would be considered inappropriate development and needs to be assessed against general Green Belt policies. Inappropriate development, i.e. the provision of new dwellings 1, 2, 3, 4, 5 and 6 would only be acceptable if very special circumstances can be demonstrated.
- 6.5 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.6 The site is also located in a prominent location on the Havering Ridge which is designated as a special character area in the LDF. Accordingly, the proposals would need to preserve the existing character, including skyline views and views from the ridge.
- 6.7 Furthermore, the proposed development would lie within the curtilage of a Grade II listed building. Given the proximity of the new development to Upper Bedfords Farmhouse there is the potential for it to have an adverse impact on its setting. Consideration also needs to be given to the impact on this setting arising from the demolition/conversion of existing curtilage listed buildings. The guidance in the NPPF is that great weight should be given to the significance of a designated heritage asset. The significance should be considered in terms of either substantial harm or less than substantial harm. Harm could be caused through the construction of new buildings and the alteration of others. However, Members should be aware that for substantial harm to be demonstrated NPPG and recent case law have set a high bar and the effect would have to be such that much of the significance of the heritage asset would need to be negated.
- 6.8 The main issues for consideration by members are therefore:
- The extent to which the proposals amount to inappropriate development in the Green Belt;
  - The effect on the openness and purposes of the Green Belt;
  - The effect on the area's character and appearance;
  - Whether the proposals would preserve the listed buildings on the site, their special architectural or historic interests and the setting of Upper Bedfords Farmhouse.

- If the proposals amount to inappropriate development, whether the harm by reasons of inappropriateness, or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the developments.
- Whether the proposals would preserve the special character of Havering Ridge, including protecting views to the area.

### Green Belt Considerations

- 6.9 The site includes a number of former agricultural buildings and associated hardstandings. The buildings lie within the curtilage of the listed farmhouse and together retain the character of the former farmyard, albeit sub-divided by the addition of fenced boundaries to the north of the farmhouse itself. Two of the outbuildings are currently in use: one for purposes ancillary to the residential use and the other for commercial purposes (snooker table renovation); two are in a very poor state of repair and together with the larger buildings generally unused. The redevelopment of the site needs to be considered in relation to the guidance in the NPPF which largely supersedes Policy DC45.
- 6.10 In the Green Belt there is a presumption against inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings, including dwellings is normally inappropriate in the Green Belt. However, paragraphs 89 and 90 of the NPPF set out circumstances where new buildings or the re-use of existing buildings would not be inappropriate development. Of particular relevance to this case are:
- i) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - ii) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development,
  - iii) the re-use of existing buildings provided they are of permanent and substantial construction and
  - iv) the extension or alteration of a building providing it does not result in disproportionate additions over the size of the original.
- 6.11 It is clear from the application details and on site that the buildings are no longer used for agricultural purposes and have not been so used for some time. Some are used for purposes ancillary to the main residential use or for commercial purposes whilst others, mainly the larger barns once used for agriculture, are unused. The NPPF allows 'brownfield' sites in the Green Belt to be redeveloped; however, former agricultural buildings are excluded from this unless there is a new lawful use. The fact that they may not have been used for many years does not alter this. The NPPF also allows replacement buildings but these need to be in the same use. Existing

buildings could also be re-used, so alternative uses, such as commercial would be acceptable in principle.

- 6.12 The buildings identified as Barn 7 and Barn 4 have been used for purposes not related to agriculture for some time. Barn 4 has been used for many years for the refurbishment of snooker tables and Barn 7 is used for storage purposes ancillary to the residential use. Staff are satisfied that these buildings are probably lawfully used and no enforcement action could be taken. The conversion or redevelopment of these would accord with Green Belt policy.
- 6.13 Barn 1 would be reclaimed and reconstructed. Whilst this work would be substantial the works proposed can be considered as works of alteration and conversion. The building is also of heritage interest and listed as a curtilage building. The retention of much of the historic building fabric carries weight in favour of the proposed works. The conversion/alteration of this building would also accord with Green Belt policy so long as it does not result in disproportionate additions over and above the size of the original building.
- 6.14 With regard to the 'modern' barns, 3, 5 & 6, the demolition and redevelopment of these would not be in accordance with Green Belt policy exceptions. This part of the development could only be acceptable if 'very special circumstances' can be demonstrated that would clearly outweigh the harm to the Green Belt and any other identified harm. Generally these policies seek to retain the openness of the Green Belt and prevent encroachment
- 6.15 The case put forward by the applicant is that the barns are of significant scale which adversely impacts on the openness of the Green Belt, as well as its character and visual amenities. Furthermore there are significant amounts of hardstanding associated with these buildings. The proposed development would reduce the volume of buildings on the site by about 20%, the footprint of the buildings by 26% and the footprint of buildings and hardstanding by 29%. The maximum height would reduce by 1.3m. The buildings to replace the modern barns would retain the loose grouping of the existing buildings which together with the revised designs and materials which respond to the comments of and approach advocated by the Council's heritage advisor, would help maintain the character of the site. This is put forward in the application as amounting to the very special circumstances that outweighs the harm by reason of inappropriateness.
- 6.16 It is also maintained that the new development would be less visually intrusive than the existing built form which would further reduce any harm by reason of inappropriateness. The proposed development would have no greater impact in distant views of the site as the wooded surrounds would be largely retained and the proposed curtilages of the new dwellings would be defined well away from the physical boundary of the site. The additional landscaping of the northern boundary, including the removal of Building 2 would also enhance the visual amenities of the Green Belt.

- 6.17 Paragraph 55 of the NPPF also refers to new dwellings in the countryside generally. Isolated new dwellings should be avoided unless there are special circumstances. The paragraph provides examples of such special circumstances. This includes where the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting. This is general guidance which does not relate specifically to Green Belt sites, but the countryside generally. The proposal includes the re-use of redundant and disused buildings and would lead to enhancement of their setting which is endorsed by the Council's heritage advisor.
- 6.18 Other relevant considerations to the openness of the Green Belt include the extent of any encroachment into the countryside compared with the existing situation. The provision of new buildings/dwellings would result in a greater degree of permanence and introduce a domestic environment. The area around the barns, in particular the 'modern' ones is currently undeveloped and includes self-sown vegetation, including small trees. Some of this would be removed to facilitate the development but the residential curtilages proposed have been carefully defined to limit any encroachment. This would also arguably be off-set by the net benefit to openness through the reduction in building volume and reduction in hardstanding areas. Significant landscaping could be achieved on many areas around the development which would improve the visual amenities of the Green Belt. Subject to appropriate conditions it is considered that the impact on rural character would be acceptable and the limited encroachment would be off-set by the overall reduction in building scale, extent of hardstanding and improvement to the access.

#### Heritage considerations

- 6.19 The development site lies within the curtilage of a Grade II listed building with some of the existing buildings being curtilage listed. All buildings and other structures that pre date 1948 and are within the curtilage of a listed building which are to be treated as part of the listed building and the altering or demolishing such structures may require listed building consent, s8 of the Planning (Listed Building and Conservation Areas) Act 1990. A separate listed building consent application has been made for the works to the two curtilage buildings to be converted and for the demolition of the third. In addition the new buildings would have the potential to impact on the setting of the listed building.
- 6.20 The main consideration in the assessment in this application is whether either the conversion or the demolition of the curtilage buildings would cause substantial or other harm to the listed building. The demolition or alteration of existing buildings has the potential to adversely impact on the significance of the listed building. Significance is defined as the value of the heritage asset to this and future generations because of its heritage interest. This test derives from the physical appearance of the asset and its setting.

Curtilage buildings can form an important part of the setting and hence the significance of the listed building.

- 6.21 Whether a proposal causes substantial harm will be a matter of judgement and the guidance in the National Planning Practice Guidance is that there is a threshold and that substantial harm should be exceptional. Where substantial harm is recognised, to overcome such harm or loss substantial public benefits that outweigh that harm should be demonstrated. In this case Staff and the Council's heritage advisor judge that the loss of specified curtilage buildings and conversion/re-use of others would not lead to substantial harm to or loss of the significance of the listed building or to its setting. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.
- 6.22 The curtilage buildings appear as a group of former agricultural buildings around the main farmhouse and do have some value within the overall setting of the listed building. However, the condition of the buildings and the general air of dis-use do not contribute positively to the setting at present. The retention of the main part of barn 4 and the re-building of barn 1 would help to retain the setting of the listed building as would the removal of the fencing which currently subdivides the farmyard. The demolition of barn 3, which is in a very poor state of repair, would not materially affect the importance of the heritage asset, nor would the demolition of barn 7 and its replacement with a suitable alternative. The Council's heritage advisor considers that the works to barns 1 and 4 together with the re-creation of the farmyard as an open area between the buildings would help to maintain the importance of the heritage asset and enhance its setting. The demolition of the other 'modern' buildings would have little or no impact on importance other than their contribution to the overall farmyard setting which currently gives an impression more akin to abandonment than active use. The impact of the replacement buildings would be of greater significance.
- 6.23 In this respect the form and massing of the new dwellings outside of the main courtyard area are considered acceptable and consistent with an agricultural vernacular. The buildings have been redesigned and the revisions respond to the agricultural setting, reflecting a modern interpretation of converted agricultural buildings with extensive areas of timber weatherboarding, differing window and extension sizes, window louvres and slate or zinc sheeting roof. This is intended to provide a form of development consistent with an agricultural style of building to help maintain the existing farmyard character. The buildings are well spaced within the site and located predominantly within the footprint of the existing 'modern' barns. There would be some change in character with the introduction of garden areas and car parking but it is considered that this would cause less than substantial harm to the setting of the listed building. The NPPF advises that such harm should be weighed against the public benefits of the proposal. Public benefits may include sustaining or enhancing the significance of the asset. The buildings to be demolished have no particular

historical significance in themselves and their removal, along with other open uses on the site would enhance the setting of the farmhouse.

- 6.24 Taking the heritage considerations as a whole there would be some public benefit by enhancing the curtilage listed buildings to be retained ensuring their long term use and contribution to the setting of the farmhouse. It would also provide some benefit in Green Belt terms and make a limited contribution to housing supply. This is judged to off-set any limited harm to setting that the new buildings could have. Overall the heritage impact is judged to be acceptable, a view which is endorsed by the Council's heritage advisor.
- 6.25 Overall, in coming to a conclusion on whether very special circumstances have been demonstrated it is necessary to consider the harm arising by reason of inappropriateness and any further harm to the Green Belt as is caused by the development, and then whether the benefits being delivered by the proposal clearly outweigh the harm so as to amount to very special circumstances. In this respect staff are satisfied that reduction in built form, footprint, hardstanding and height, coupled with the enhancement of the setting of the listed building and the quality of the proposed development do properly qualify as very special circumstances which outweigh any harm arising. In terms of this balancing exercise it is also staff's judgement that more weight should be attributed to the enhancement of the setting of the listed building than the physical reductions in scale.

#### Impact on residential amenity

- 6.26 There are two existing dwellings, including the listed farmhouse. The main impacts from the new dwellings would be on the occupiers of the farmhouse. The other dwelling is some distance from the proposed development site being to the east of the access road. The replacement for building 7 would be located close to the farmhouse, however, it would be single storey and there would be no overlooking issues. The farmhouse also has windows at first and ground floor level to the south of building 7, however, the relationship between the farmhouse and new dwelling would be no different from the existing situation. The garden area for the new dwelling would be subject to some limited overlooking from the farmhouse but this would not be significant. The relationship between the other dwellings would be acceptable without any significant amenity issues arising between them.
- 6.27 Looking at the proposed new dwellings, all would satisfy the minimum space standards for the number of bedrooms proposed and would offer garden sizes which would provide adequately for family living. The wooded area around the perimeter of the site would also function as a communal facility for the development.

### Design/Impact on character and appearance

- 6.28 The issues of impact on the listed building and Green Belt have already been addressed. However, the application site lies within the Havering Ridge area of special landscape character where LDF policy DC69 applies. The importance of the ridge is the skyline character and views it affords of central London. The policy seeks to ensure that new development would preserve these aspects of its character. The proposed development would not affect views out of the site as these can only be experienced to the south of the boundary. Views from within the site are obscured due to existing vegetation. Views into the site are also largely screened by the vegetation and by the landform. The mature trees, woodland and formal hedging mean that the development would not affect the skyline as set out in the policy. The views of the farmhouse, which can be seen from Lower Bedford Road, would be unaffected. The site would also not be readily visible from other potential view points to the north due to the topography and vegetation and no more visible from Bedfords Park than the existing buildings. Furthermore it is staff's view that the individual design of the proposed rebuilt and new dwellings are of a very high quality and show particular regard to both the Green Belt and listed building setting. Overall it is judged that the proposals would not materially affect the landscape character of the area or the purposes of LDF policy DC69.
- 6.29 The existing farm track would be upgraded and given its length and prominence has the potential to adversely affect the rural character of the area. The proposal is to upgrade the road to provide surfacing and passing places. The paving of the track could have adverse visual impacts, but subject to suitable materials being used this is considered acceptable. Other parts of the internal layout would also be surfaced in appropriate materials, including gravel areas replacing the existing concrete hardstanding.

### Parking and Highway Issues

- 6.30 Acceptable levels of parking would be provided giving all proposed dwellings except the converted Barn 1 (houses 1 and 2) and House 8, two covered spaces. The converted Barn 1 would have two allocated spaces located at to western end and house 8 one covered space, with sufficient room within the redefined farmyard/courtyard area to accommodate any additional parking requirements.
- 6.31 No objections are raised by the highway authority to the proposed access. Refuse collection arrangements need to be agreed, however, collection vehicles currently access the site using the farm track and the upgrading of the access track would assist with this.

### Landscaping

- 6.32 The development would involve the loss of some trees and other vegetation much of which is naturally regenerated scrub. However, significant areas of

natural vegetation and many trees would be retained, particularly around the perimeter of the site and further planting is proposed. The landscaping of the site would be addressed through conditions.

### Ecology

- 6.33 In view of the existing site conditions there is the potential for an adverse impact on wildlife, for example on nesting birds, owls and reptiles. This impact has been assessed as part of the application and a survey undertaken. Recommendations are made in respect of further surveys and the timing of works, for example to avoid nesting times when removing vegetation. Mitigation, including fencing, nesting boxes and reptile hibernacula is recommended which can be addressed through conditions.

### Infrastructure impact of the development

- 6.34 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 6.35 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.36 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.37 From 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.38 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.



6.39 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places.

6.40 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought and it is considered that a contribution equating to £6,000 per dwelling would be appropriate in this case. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. There would be 8 units and a charge of £48,000 is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

## **7. Mayor's Community Infrastructure Levy (CIL)**

7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. Most of the existing floorspace has not been lawfully used within this period. Buildings 4 and 7 are the only ones that have been in use.

7.2 The proposed development would give rise to a net increase of 1176 sqm of internal floorspace for CIL purposes. At £20 per square metre the CIL liability would be £23,520.

## **8. Conclusions**

8.1 This application raises Green Belt, heritage and landscape considerations, the principal ones being the impact on the Green Belt and heritage. Staff consider that, on balance the development would be acceptable and that the benefits to the setting of the listed building, the measurable reduction in built form and the limited impact of the new dwellings on the open character of the Green Belt amount to the very special circumstances necessary to outweigh the in principle harm to the Green Belt caused by new development. The weight to be given to the various issues is a matter of judgement and members will need to consider what weight to attribute to the various impacts identified, in particular those in relation to the Green Belt.

However, staff are satisfied that the necessary tests are satisfied in this instance and it is recommended that planning permission be granted.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

A Section 106 planning obligation is required to make the application acceptable. The obligation will include the payment of the Council's legal expenses involved in drafting the obligation and monitoring fees.

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the S106 planning obligation. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations.

It is noted that consideration of the application includes all buildings and other structures that pre date 1948 and are within the curtilage of a listed building which are to be treated as part of the listed building and the altering or demolishing such structures may require listed building consent, s8 of the Planning (Listed Building and Conservation Areas) Act 1990.

The statutory duty applied to Local Planning Authorities in the exercise of their planning function in respect of listed buildings is set out in section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. These tests require that, in exercising any of their powers under the Act with respect to any decision on a planning application for development that affects a listed building or its setting, a local planning authority must 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. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged, sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Human Resources implications and risks:**

None

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity.