



# REGULATORY SERVICES COMMITTEE

25 June 2015

# REPORT

**Subject Heading:**

L0003.15 Sullens Farm, Sunnings Lane,  
Upminster

Listed Buildings Consent for conversion of  
existing brick barns to create new  
apartments, demolition of modern barns to  
allow construction of new houses within  
curtilage of listed building (Received 29-  
04-2015)

**Ward:**

Upminster

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
Development Control Policies  
Development Plan Document

National Planning Policy Framework  
National Planning Practice Guidance

London Plan

**Financial summary:**

Not applicable

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

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

**SUMMARY**

This application was deferred at the 18th June 2015 meeting of the committee.

This application together with the associated planning application has been called-in by Councillor Ron Ower on the grounds of the planning history of the site and Green Belt issues.

The application site lies within the Green Belt to the south of Corbets Tey and comprises a Grade II listed building and associated outbuildings within its curtilage. The application concerns the conversion of a range of outbuildings to provide three apartments; the demolition of other more recent outbuildings and the erection of a new terrace of three dwellings and two detached dwellings. The proposed conversion would provide a viable use for the former barns and would enhance the overall setting of the listed building and help sustain its significance. The demolition of two of the curtilage buildings would result in some limited harm to the setting of the listed building, however, this needs to be balanced against the overall benefits. Overall staff consider that, on balance, the significance of the listed building would be enhanced by the development and that the proposals would be in line with the guidance in the NPPF and the NPPPG, LDF Policy DC67 and London Plan Policy 7.8.

**RECOMMENDATIONS**

Grant listed building consent subject to the following conditions:

1. The development to which this consent relates must be commenced not later than three years from the date of this consent.

Reason: To comply with the requirements of Section 18(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning Compulsory Purchase Act 2004).

2. Written notification of the intended start of works on site shall be sent to the Local Planning Authority, at least seven days before the works hereby approved are commenced.

Reason: In order that Historic England and the Local Planning Authority may be given the opportunity of monitoring the progress of works on site to ensure

the preservation of the special interest of the building affected by the works hereby approved, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC67.

3. The conversion of the building range C-Q hereby consented shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the conversion of the listed building is carried out in accordance with 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 Development Control Policies Development Plan Document Policy DC67.

Reason: To preserve the character and appearance of the Listed Building and its setting, and in order that the development accords with Development Control Policies Development Plan Document Policy DC67.

4. All new work and works of making good to the retained fabric whether internal or external shall be finished to match the existing original work with regard to the methods used and to material, colour, texture and profile and in the case of brickwork facebond and pointing.

Reason: To preserve the character and appearance of the Listed Building and its setting, and in order that the development accords with Development Control Policies Development Plan Document Policy DC67.

5. Before any work is undertaken in pursuance of this consent to demolish or to alter by way of partial demolition any part of the building range C-Q, structural engineers drawings and/or method statement, indicating the proposed method of ensuring the safety and stability of the building fabric to be retained throughout the period of demolition and any reconstruction work shall be submitted to and approved by the local planning authority. The relevant work shall be carried out in accordance with such structural engineer's drawings and/or method statement thus approved.

Reason: Insufficient information has been submitted in relation to these matters which are necessary in order to secure the preservation of the listed buildings in accordance with Development Control Policies Development Plan Document Policy DC67 and the guidance in the National Planning Policy Framework.

6. Full details of doors and windows and samples of all materials including rainwater goods to be used in the conversion of the building range C-Q hereby permitted and the replacement goods to the retained building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the work.

Reason: Insufficient information has been submitted in relation to these matters which are necessary in order to safeguard the appearance of the building and the character of the immediate area, and in order 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.

7. No works relating to the conversion of the building range C-Q under this consent shall take place until details are submitted to, and approved in writing by the local planning authority of the following:

- a) proposals for the insulation of the converted building;
- b) alterations to the roof and the insertion of the proposed glazed roof panels;
- c) works required or alterations to the fabric of the listed building to achieve fire protection measures necessary to meet the Building regulations.

Reason: Insufficient information has been submitted in relation to these matters which are necessary in order to preserve the character and appearance of the Listed Building and its setting, and in order that the development accords with Development Control Policies Development Plan Document Policy DC67 and the guidance in the National Planning Policy Framework..

8. All new external finishes shall be carried out in materials to match those of the existing building(s) and samples of the materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any of the works hereby permitted.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC67.

9. a) No development, including any works of demolition shall take place until the applicant has secured the implementation of a programme of historical assessment, recording and evaluation of the buildings to be demolished in accordance with a written scheme which has been submitted to and approved in writing by the Local Planning Authority and a report on that evaluation has been submitted to the local planning authority.

b) No development or demolition shall take place other than in accordance with the written scheme approved under Part b).

Reason: Heritage assets of historical interest survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document 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: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site comprises a number of former agricultural buildings now in commercial use, a listed grade II farmhouse and an area used for the storage/parking of commercial vehicles. Sullens Farm is a 16<sup>th</sup> Century timber framed house with early 19<sup>th</sup> Century additions. The list entry does not make any reference to curtilage buildings. There have also been a number of more recent additions.
- 1.2 The wider area around the buildings also includes an area used for caravan storage. The buildings became redundant when the agricultural activities ceased on adjoining land. To the north of the site is a terrace of five dwellings that face onto Sunnings Lane, the nearest of which adjoins the application site boundary.
- 1.3 The following are curtilage buildings:
  - Building A which is a large ex-WW2 hanger/Nissen building which is constructed partly of block and corrugated steel sheeting over a metal frame. The building has a semi-cylindrical shape. Roller shutter doors have been fitted to the front of the building which has been divided internally into 12 separate commercial units. The building was originally acquired for agricultural use.
  - Building B is constructed partly of block and partly steel framed. The external cladding is part corrugated sheeting and part timber boarding. The roof is of corrugated steel, pitched with gable ends. The building is in commercial use.
  - Building C-Q is of brick construction with part timber cladding under a corrugated metal roof. It is subdivided into a number of smaller units. The building is in a number of sections forming an open courtyard. The building is in commercial use.
  - Building S comprises a detached brick/block single storey building white rendered and with corrugated metal roof. The building is in use as an office

### 2. Description of Proposal

2.1 The application is for listed building consent for the conversion of building range C-Q to form three new apartments and the demolition of the remaining curtilage buildings to facilitate the construction of five new dwellings; two detached dwellings and a terrace of three dwellings. Consent is required for the demolition of curtilage buildings where they were erected prior to 1<sup>st</sup> July 1948 and are in the same ownership at the time of listing.

### 3. Relevant History

3.1 P0592.15 - Conversion of existing brick barns to create 3 no. new apartments, demolition of modern barns, to allow construction of 5 no. new houses, removal of external caravan storage use and hard surfaced yard and replacement with landscaped parking – pending.

3.2 P0881.14 - Conversion of existing brick barns to create new apartments, demolition of modern barns to allow construction of new houses, Removal of external caravan storage use and hard surfaced yard and replacement with landscaped parking - refused.

3.3 L0009.14 - Listed Buildings Consent for conversion of existing brick barns to create new apartments, demolition of modern barns to allow construction of new houses within curtilage of listed building – pending.

3.4 P1655.14 - Conversion of existing brick barns to create 3 no. new apartments, demolition of modern barns, to allow construction of 6 no. new houses, removal of external caravan storage use and hard surfaced yard and replacement with landscaped parking – refused.

3.5 L0016.14 - Listed Buildings Consent for conversion of existing brick barns to create new apartments, demolition of modern barns to allow construction of new houses within curtilage of listed building – refused.

### 4. Consultations and Representations

Representations:

4.1 The application was advertised as affecting the setting of a listed building. Nine letters of objection have been received raising the following issues

- Green Belt development;
- Run-down buildings part of the site's character and should be retained;
- Increase in traffic;
- Inadequate services;
- Set a precedent for further Green Belt development;
- Loss of commercial premises;
- Affect rural character of the area;
- Noise and other environmental impacts;
- Impact on Corbets Tey Conservation Area;
- Loss of privacy;

- Loss of light and over-shadowing.

4.2 These objections were made in conjunction with objections to P0592.15 and raise issues that do not directly relate to the listed building application. Whilst these matters are not material to this application they are addressed in the report on P0592.15.

#### Consultations:

4.3 Historic England - (historic buildings) - application should be determined on the basis of the Council's own specialist conservation advice and in accordance with national and local planning policy guidance. In relation to the previously application the former English Heritage advised that it could not confirm whether the buildings involved are curtilage structures. In order to be curtilage structures the buildings would need to have been erected prior to 1 July 1948 and in the same ownership at the time of listing (1979). It will be a matter for the Council to determine whether the buildings are covered by the listing. If they are deemed to be curtilage buildings then any harm caused by demolition would need to be off-set by public benefits in accordance with the guidance in the NPPF.

#### 5. Relevant Policies

5.1 Policies CP18 (Heritage); DC67 (Buildings of Heritage Interest) and DC68 (Conservation Areas) of the LDF Core Strategy and Development Control Policies Development Plan, Heritage Supplementary Planning Document, Policies 7.4 (Local Character) and 7.8 (Heritage Assets and Archaeology) of the London Plan and the guidance in Chapter 7 of the National Planning Policy Framework and the National Planning Practice Guidance.

#### 6. Staff Comments

6.1 This application together with the associated planning application has been called-in by Councillor Ron Ower on the grounds of the planning history of the site and Green Belt issues.

6.2 The main issue in this is whether either the conversion or the demolition of the curtilage buildings would cause substantial or other harm to the listed building. The previous listed building consent application was refused for reasons of prematurity in the absence of an acceptable planning scheme. No concerns were raised in relation to the impact on the listed building.

6.3 Sullens Farmhouse is Grade II listed and the buildings subject to the application fall within its curtilage. Of the buildings the range C-Q and building A are considered to be covered by the listing as curtilage buildings. However, from the details submitted regarding buildings B and S it is unclear whether they are covered by the listing, although there is some evidence of buildings on that part of the site pre-1948. In these circumstances the application is considered to cover the demolition of all the curtilage buildings. This will ensure that

recording of historic details of the buildings in addressed through the demolition process.

- 6.4 The demolition 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 its heritage interest. This 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.
- 6.5 Whether a proposal causes substantial harm will be a matter of judgement and the guidance in the National Planning Practice Guidance is that it is a high test 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 judge that the proposed development would not lead to substantial harm to or loss of the significance of the listed building or to its setting through the loss of the curtilage buildings or their conversion. 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.
- 6.6 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. As a result there would be some limited harm to the setting through the demolition of the buildings. Where there is less than substantial harm, as in this case here, the NPPF paragraph 134 advises that this 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.
- 6.6 The conversion of the former barns, C-Q would put the building to a viable use and enhance its significance as part of the former farm complex. Whilst there are no details of its age it is significantly older than the other curtilage buildings. Part of the range has the appearance of a traditional Essex barn.
- 6.7 In this case Staff consider that the special character of the listed building as set out in the listing would not be materially affected by the demolition and conversion. The grant of listed building consent is recommended accordingly.

## IMPLICATIONS AND RISKS

**Financial implications and risks:** Not applicable



**Legal implications and risks:** None

**Human Resources implications and risks:** Not applicable

**Equalities implications and risks:** Not applicable

## **BACKGROUND PAPERS**

1. Listed building application and plans received 29-04-2015