

**Ridlington – LA/21/0794 - External works associated with erection of brick & flint boundary wall between the Old Rectory and Stacy Barn, Heath Road, Ridlington for Mr. Black**

**Target Date – 24<sup>th</sup> March 2022**

Case Officer: Joseph Barrow

Application for Listed Building Consent

**RELEVANT SITE CONSTRAINTS:**

- Civil Parish: Witton
- District Ward: Bacton
- Countryside

**RELEVANT PLANNING HISTORY:**

PF/16/0600: Change of use of barn to single dwelling with associated alterations and extensions - approved

LA/16/0529: Conversion of barn to dwelling with associated alterations and extension - approved

**THE APPLICATION:**

Listed Building Consent is sought for the erection of a brick and flint wall, with gate, between the annexe to The Old Rectory and Stacy Barn.

There is an associated application for planning permission (PF/21/0793) which will also be considered at this meeting.

**REASON FOR REFERRAL TO COMMITTEE:**

At the request of Cllr. Lucy Shires. It is considered that the proposal would not create harm to the heritage asset to warrant refusal and considers the proposal complies with Policies EN4 and EN8 of the adopted North Norfolk Core Strategy.

**PARISH/TOWN COUNCIL**

Witton and Ridlington Parish Council: Two responses of support submitted

**CONSULTATIONS:**

**Conservation and Design Officer: Objection** - considers the proposed wall would constitute a strong visual and physical barrier which would block the historic route and which would drive a wedge between the main house and its former ancillary outbuilding.

## **REPRESENTATIONS:**

None received.

## **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

## **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

## **POLICIES:**

### **North Norfolk Core Strategy (Adopted September 2008):**

EN8 – Protecting and Enhancing the Historic Environment

### **National Planning Policy Framework (NPPF) (2021):**

Section 16 – Conserving and Enhancing the Historic Environment

### **North Norfolk Design Guide - Supplementary Planning Document (2008)**

## **MAIN ISSUES FOR CONSIDERATION**

- 1. The effect of the proposed works on the significance of the designated heritage asset.**

## **APPRAISAL:**

- 1. The effect of the proposed works on the significance of the designated heritage asset.**

This application proposes the erection of a wall and gate between two residential outbuildings in the grounds of The Old Rectory, a grade II listed building. The wall now proposed would be between the annexe for The Old Rectory and Stacy Barn.

When considering proposals or works affecting listed buildings, Section 66(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning

authority....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

This obligation, found in Sections 66(1) applies to all decisions concerning listed buildings. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

When making decisions, it should be remembered that Parliament’s intention was that ‘decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings’ when carrying out the balancing exercise’.

Stacy Barn was converted to a dwelling under planning permission PF/16/0600 and listed building consent LA/16/0529. A condition of this planning permission was the removal of permitted development rights for walls/gates/fences etc., so as to enable the Council to have control over any future development of this nature, and ensure the visual relationship is retained.

The wall now proposed would be a flint and brick construction, with swan neck detailing at either end, where it connects to the adjacent dwellings. A central gate is proposed allowing pedestrian access.

It is considered that on the basis of the specialist advice from the Conservation and Design Officer, that the erection of this wall would create a harmful visual divide between the heritage asset and its former ancillary outbuilding, blocking an historic route.

Whilst the level of harm to the heritage assets is considered to be ‘less than substantial’ in accordance with paragraph 202 of the NPPF, this harm has to be weighed against any public benefits accruing from the proposed development.

In this case, there are no identified public benefits. The proposal is therefore contrary to policy EN 8 of the North Norfolk Core Strategy and paragraph 202 of the NPPF.

## **RECOMMENDATION:**

REFUSAL for the following reason:

**In the opinion of the Local Planning Authority the proposed wall would create a physical barrier between the listed building and the historic ancillary outbuilding, and interrupt a historic route between the two buildings. This strong visual and physical barrier would be harmful to the setting and historic significance of the listed building.**

**Whilst this harm to the designated heritage asset would be less than substantial, there are no public benefits identified that would outweigh the harm identified. The proposal is therefore contrary to Policy EN 8 of the adopted North Norfolk Core Strategy, paragraph 202 of the National Planning Policy Framework 2021 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.**

Final wording of the reasons to be delegated to the Assistant Director – Planning.