
**UNAUTHORISED DEMOLITION OF PARTS OF A GRADE II LISTED BUILDING AT
MANOR FARM, BISHOPTON, DARLINGTON**

1.0 Introduction

- 1.1 This report relates to the unauthorised demolition of two elements of a Grade II listed building (attached to and within the curtilage of Manor Farmhouse) fronting Bishopton Green.
- 1.2 The purpose of this report is to inform Members of the sequence of events and to seek Members' agreement on actions arising from this.

2.0 Background

- 2.1 Planning Permission and Listed Building Consent was granted in July 2005 and September 2006 respectively for the conversion of buildings to accommodate 3 No. residential dwellings, and the erection of 2 No. new build dwellings to the rear (south) of the site. These were dealt with under planning permission reference number 05/00448/FUL and Listed Building Consent reference number 06/00332/LBC. Members will recall that this application was subject to an amendment to secure the retention of the entire frontage range fronting the Green. Listed Building was also sought and granted, to undertake underpinning works to the barn to ensure its stability for its future use.
- 2.2 A complaint was received from a neighbour adjoining the site in December 2008, which alleged the demolition of a building (shown on the plan as Building F) that straddled the site and the neighbouring site at Manor Farmhouse, part of which was to remain according to the approved plans, and also the demolition of a lean-to extension to the end of the rear wing of the barn (shown as on the attached plan as Building B). These are all listed by virtue of being attached to the main listed building (in the case of Building B) or being within the curtilage of a listed building (in the case of Building F). These buildings are later additions to the building / curtilage.
- 2.3 Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it an offence to execute, without first obtaining Listed Building Consent, any works for the demolition of a listed building, or for its alteration or extension in a manner, which would affect its character as a building of special architectural or historic interest.
- 2.4 Officers therefore investigated the alleged breach of Listed Building Control and the outcome of those investigations and the recommended action is detailed in this report.

3.0 Outcomes of investigation

3.1 On visiting the site subsequent to the complaint officers agreed that no Listed Building Consent existed for the two buildings that had been demolished. On contacting the developer, officers were informed that this was done in ignorance and was not a malicious act, but that they were buildings / extension of a later period and not considered of any significance and not required for the conversion of the buildings. Officers are satisfied that the breach was carried out in ignorance and with no malice to any interests of acknowledged importance.

4.0 Consultations

4.1 Officers considered that the buildings in themselves, did not provide any significant contribution to the architectural or historic interest of the building, the principal listed building (Manor Farmhouse) or that of its setting (see attached photographs). However, in order to establish a way forward in terms of any enforcement action for the breach of Listed Building Control, officers consulted the National Amenity Societies and English Heritage, to consider their opinion on the value of the buildings and of any significant harm that had arisen from the breach.

4.2 No responses were received save from English Heritage, who had no comments to make on the demolition of the outbuilding / extension.

5.0 Assessment

5.1 Officers have carefully considered the breach of Listed Building Control and are of the opinion that, no significant harm has arisen from the breach. This is supported and clarified by the response received from English Heritage. To this extent, officers consider that it would not be expedient, in the public interest to take enforcement action in relation to the breach.

6.0 Conclusion

6.1 A breach of Listed Building Control is something that the Council takes very seriously. However, each case must be considered on its own merits. In this particular case, the breach has resulted in no significant harm to the building or its setting. Furthermore, officers are satisfied that the breach was through ignorance and was not malicious. To this extent, officers are of the opinion that it would not be expedient, in the public interest to take any further action in respect of this breach.

7.0 Recommendation

7.1 This report therefore seeks Members' agreement that:

- i) No further action is taken in respect of this breach of Listed Building Control.

The reasons for this recommendation are:

- i) That no significant harm has arisen from the breach and that it would not be expedient in the public interest to take enforcement action.

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