

Enforcement of Planning Control
Enforcement Item for Consideration: Manor House, Farm House,
Dunburgh Road, Geldeston
Report by Planning Officer (Compliance and Implementation)

Summary:	This report concerns unauthorised work to a Grade 2 listed building.
Recommendation:	That authority is given to serve a Listed Building Enforcement Notice if voluntary compliance is not achieved. Authority is also requested to seek compliance through prosecution if necessary.

Location: Manor House Farm House, Dunburgh Road, Geldeston.

1 Description of site

- 1.1 The site comprises a substantial two storey farmhouse dating from the early 17th century and which is Grade 2 listed. The list citation is as follows:

“Farmhouse. Early C17 and later. Brick, flint with brick dressings, partly rendered and colourwashed. Steeply-pitched pantile roof. Two storeys and attics. Elevation to road rendered and colourwashed: 2 and 3-light casements with transoms and glazing bars in altered openings. Ground floor left-hand side, a 5-light ovolo-moulded mullion window with staybars and one iron casement in segmental arched opening. Single and double square brick niches at first floor level. South elevation has irregular fenestration of C19 and C20 casements of 2 and 3 lights. Two first floor sashes with glazing bars. Two gabled projections, that to the left, a 2-storey porch with 4-centred moulded brick entrance arch set in a square headed recess. Above the arch, an inverted triangular niche with coat of arms. Porch interior has blind niches with 4-centred heads in east and west walls. Entrance door with vertical studded battens; moulded doorframe with barred and stepped stops to moulding. Porch upper floor with slight overhang; walls rendered and colourwashed. East end of house with much flintwork; gabled 2-storey stair turret with 2-light segmental-headed casement with glazing bars; circular east and west windows with moulded brick surrounds. East wall has blocked window with chamfered reveal and blocked doorway with 4-centred head. Parapeted gables, internal chimney stack on north gable. 2 blocked attic windows in west gable. Axial stack off-centre to south. East gable parapet has tumbling-in; lower hipped 2-storey block to east in knapped flint with brick dressings”

- 1.2 The property is located on the Dunburgh Road between the villages of Geldeston and Gillingham. The house occupies a prominent location in the Waveney Valley and whilst not riverside, it is, in places, visible to anybody

using the River. From the road aspect the house is partly shielded by hedging but is significant feature to people using the road by car or on foot.

2 Background to the Breach of Planning Control

2.1 The site was first visited as part of a comprehensive re-survey of Historic Buildings in the Authority's executive area in 2007. At that time and immediately afterwards the Authority's officers gave informal advice to the owners and their builder regarding the listed status of the building and the implications of this on future work that was being considered by the owners. The need to gain Listed Building Consent prior to the undertaking of any work was explained to the owners.

2.2 A subsequent site visit took place on 3 November 2011 where it became clear that much work had been undertaken. This unauthorised work includes but not exclusively:

- the replacement of windows;
- the formation of a brick pier in the kitchen;
- the removal and replacement of first floor joists to the room east of the kitchen;
- the formation of a fireplace and chimney in the same room;
- the laying of a pamment floor to the porch;
- removal of plaster internally and replacement with lime render;
- the provision of a glazed door to the south elevation of the porch;
- removal of render externally exposing flintwork; and
- removal of areas of brick blocking and replacement with flintwork.

No application had been submitted to date.

2.3 A meeting took place with the owners on 20 December 2011 where the owners were asked to submit a retrospective application for Listed Building Consent for work that had already been undertaken and for any further planned work. It was explained that the failure to obtain the necessary consents prior to the carrying out of work is a criminal offence, punishable on conviction, by a fine and or imprisonment. A follow up letter was sent in early January 2012 detailing with the unauthorised work that had been carried out.

2.4 A further letter was sent in June 2012 requesting a retrospective application and the owners advised of their intention to submit an application.

2.5 On 19 July 2012 a further site meeting took place with the owners at their request to help clarify the exact requirements for a retrospective planning application. At the meeting the owners were advised to consider employing a planning consultant to help with this work. The Authority was informed the following week that that they had taken this advice and employed a consultant.

2.6 On 29 August 2011 an incomplete application was received seeking retrospective consent for the replacement of all windows, replacement brick

pier in kitchen, replacement fireplace chimney and floor joists, replacement floor in porch, removal of plaster and brick blocking and replace with flint work, removal of timber tie plates in west gable and insertion of a new window and the removal of render above porch. The application could not be validated and the further information requested by the Authority has not to date been provided. The owners have requested a further meeting with officers to discuss the works and the detail of the application, but officers consider that sufficient time and advice has been given over a considerable period to enable them to understand what is required.

3 Policies

3.1 Development Management Policies DPD 2011 [DMP DPD - Adoption version.pdf](#)

DP5 - Historic Environment.

4 Action Proposed

- 4.1 To date no valid application has been received and it is felt necessary to consider further action in order to regularise this matter. Whilst it is the intention to continue to pursue the owners for a valid application, formal action in the form of an Enforcement Notice may be required if voluntary compliance cannot be achieved.
- 4.2 The work which has been undertaken is considered in the main acceptable, although there are aspects which will need to be revised. An application is considered necessary as this would include supporting information, heritage statement and plans that would allow a proper assessment of the works which have and are to be carried out. This would also regularise the works that are unauthorised.
- 4.3 It is proposed therefore to seek an application for Listed Building Consent to allow the work to be fully and properly assessed. In the case of inappropriate work, it is proposed that the owners of the building should be served with a Listed Building Enforcement Notice requiring the reinstatement of the building to its condition prior to the undertaking of the unauthorised work if this aspect of the works is not remedied voluntarily.

5 Financial Implications

- 5.1 There may be legal costs associated with this course of action.

Background papers: Broads Authority DC Enforcement File BA/2011/0056/UNLBP1

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Appendices: APPENDIX 1 – Site Map

APPENDIX 1

**Manor House Farmhouse, Dunburgh Road, Geldeston
Unauthorised storage of non-agricultural items.**

