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## Appeal Decision

Site visit made on 25 February 2026

by **D Boffin BSc (Hons), DipTP, MRTPI, Dip Bldg Cons (RICS), IHBC**

an Inspector appointed by the Secretary of State

Decision date: 31<sup>st</sup> March 2026

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### Appeal Ref: APP/X1735/F/23/3319251

### Antrims Barn, St Peters Road, Hayling Island, PO11 0RT

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the LBCA Act).
  - The appeal is made by Mr Sam Wilson of Stoke Fruit Farm Ltd against a listed building enforcement notice (LBEN) issued by Havant Borough Council.
  - The LBEN was issued on 6 March 2023.
  - The contravention of listed building control alleged in the notice is:  
Unauthorised single storey rear extension to Grade II Listed Building on the Land.
  - The requirements of the LBEN are:
    - (i) Remove the unauthorised single storey rear extension (as shown in the approximate position 'A' on the plan and in the attached photographs at Appendix A) from the Land including all fixtures, fittings, debris, and resultant debris therefrom.
    - (ii) No works as required in (i) shall begin before a method statement, detailing how the unauthorised extension shall be removed and the building made good, has been submitted to and approved by the Local Planning Authority.
    - (iii) Ensure the building is returned to its former state prior to the addition of the unauthorised rear extension.
  - The period for compliance with the requirements is 9 months.
  - The appeal is made on the grounds set out in section 39(1)(c), (e), (f) and (g) of the LBCA Act.
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### Decision

1. The appeal is allowed and the LBEN is quashed. Listed building consent is granted for the retention of a single storey rear extension at Antrims Barn, St Peters Road, Hayling Island, PO11 0RT.

### Preliminary Matters

2. Initially the appeal was brought on grounds (c), (e) and (g) but during the appeal process the appellant added a ground (f) appeal and I have dealt with the appeal on this basis. The expediency of issuing the LBEN is not a matter for consideration through this appeal.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. However, the sections relevant to the appeal have not materially altered. As such, it was not necessary to seek the further views of the parties.

### The ground (f) appeal

4. An appeal on ground (f) is that copies of the LBEN were not served as required by section 38(4) of the LBCA Act. That section states that *"A copy of a listed building enforcement notice shall be served...on the owner and on the occupier of the building to which it relates and on any other person having an interest in the*

*building which...is materially affected by the notice*". The appellant's argument under this ground of appeal is that the inclusion of a photograph within Appendix A (attached to the LBEN) of a barn that is not part of the structure to the rear of Antrims Barn, and its inclusion is distracting and confusing. He also considers that the plan attached to the LBEN is defective as the labelling of the structure to the rear of Antrims Barn with an 'a' on that plan because it is almost illegible, the map title bears no Council reference number and it makes no reference to the LBEN.

5. The Council has since removed the photograph of the barn, that is not part of the allegation, from Appendix A. I acknowledge that the letter 'A' on the plan is so small that it is illegible. However, the extension is clearly identified by reference to the remaining photographs within Appendix A and therefore the plan is not required to identify the breach.
6. In any case, even if it had not been properly served, section 41(5) of the LBCA Act allows me to disregard any failure to properly serve if the relevant person has not been substantially prejudiced by that failure. Since the appellant has been able to lodge their appeal against the LBEN and make their case they have not been prejudiced, and there is no evidence before me of any other person having been prejudiced.
7. For these reasons the appeal on ground (f) must fail.

### **The ground (c) appeal**

8. To be successful on this ground of appeal it must be successfully argued that the works carried out (the single storey rear extension) do not constitute a contravention of sections 7 and 8 of the LBCA Act. Section 7 states that *'Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special or architectural or historic interest unless the works are authorised'*. Section 8 sets out when works to a listed building are authorised.
9. There is no dispute that the works the subject of the LBEN were carried out without any application being made for listed building consent (LBC). The question is therefore whether the works have altered or extended the listed building and have those works affected the character of Antrims Barn, as a building of special architectural and historic interest. This is irrespective of the merits of the works.
10. The works amount to a relatively small structure which has been erected abutting the rear elevation of the listed building. I noted on my visit to the site that the structure appears to be mainly self-supporting and that it is constructed on a metal chassis. The appellant considers that the structure is mobile and could be moved elsewhere. Nevertheless, as this appeal relates to a LBEN whether that structure can be treated as a building is not relevant to this ground of appeal.
11. The LBCA Act does not define *'alteration'*; however, section 1(5) defines a listed building to include any object or structure fixed to the building. It is the appellant's view that the lead flashing is not fixed to the weatherboarding, and it is removable. The evidence is that the lead flashing has been abutted up to the weatherboarding of the barn to provide a weatherproof seal between the structure and the listed building. Although the flashing is only abutted up to the weatherboarding, the

LBCA Act does not distinguish between the type or scale of fixing. In any case, the structure is an extension to the listed building. The ordinary dictionary definition of an extension is, the act of making something bigger, an enlargement. Even if the flashing was removed, the structure clearly functions as an extension to the listed building as well as abutting up to it.

12. Antrims Barn is a Grade II listed building and comprises a timber framed aisled barn and cart shed with a date of 1791 on a tie beam. The structure abuts up against one of the main facades of the barn and is an extension to it and as such it has affected the character of the listed building. LBC is required for the structure and has not been granted. The appeal on ground (c) thus fails.

### **The ground (e) appeal**

13. An appeal on ground (e) seeks to show that LBC should be granted for the works carried out as alleged in the LBEN. The main issue is the effect of those works on the special architectural or historic interest of the listed building and the contribution that setting makes to the significance of the St Peters Conservation Area (SPCA).
14. Section 16(2) of the LBCA Act requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. I have also taken into account the provisions of the Framework which is also a material consideration.
15. The list description states, amongst other things, *'Barn: timberframed, clad in weatherboarding, much still tarred. Half-hipped roof covered in corrugated iron sheeting. Four bay barn, aligned north to south with cart entrance in penultimate bay to north. The west side has full-height double cart doors retaining pintle hinges and lower doors to the east. The interior has upright posts with cut profile jowls and the aisle posts have stone padstones. The wall frame has a midrail and diagonal braces. The roof structure has angled queen struts with purlins and original rafters with ridgepiece.'*
16. The barn and cart shed were converted into a dwelling following LBC and planning permission in 2007/2010 and 2015. The listed building has clearly undergone a series of changes which have altered its use and internal and external appearance. Even though it retains its historic form it now has a largely domestic appearance and is clearly no longer in agricultural use. From the details available to me, including the listing description, I consider that the significance and special interest of the listed building is largely derived from its age, form, historic fabric and internal architectural features.
17. The barn and cart shed are within SPCA but the rear extension is outside of and abuts the boundary of it. From the evidence before me and my observations at the site visit, I consider that the significance of SPCA is mainly drawn from the predominantly rural character and range of traditional buildings that it contains together with its use of materials and the relationship of buildings to the spaces around them. The fields and paddocks adjacent to SPCA provide a pastoral setting that enables the historic association of the settlement and its farms to the surrounding landscape to be appreciated. As such, that pastoral setting makes a positive contribution to the significance of SPCA.

18. The rear extension extends at approximately 90 degrees from the rear façade of the barn, and it abuts a pre-existing opening. Yet all the fenestration within the listed building appears to have been installed as part of the residential conversion. The listed building's historic fabric and its internal architectural features are not affected by the works. The historic plan form of the listed building has been modified, and the pre-existing opening is now not visible externally. Nevertheless, the rear extension is relatively small in footprint and mass in comparison to the barn and its external materials have a similar visual appearance to that of the barn.
19. As a result, when viewed from the nearest public footpaths<sup>1</sup> whilst the extension is visible the historic form of the barn and cart shed is still plainly discernible and remains the focus of attention. Moreover, the extension does not visually compete with or dominate the historic part of the building, and it is not visible from the part of St Peters Road that runs in front of the listed building. Overall, I am satisfied that the works preserve the special architectural and historic interest and significance of Antrims Barn and the extension does not materially affect the ability to appreciate that special interest/significance.
20. There is no evidence before me to indicate that the area where the extension is located previously formed part of a field/paddock. Therefore, the ability to appreciate the pastoral setting to SPCA remains and the contribution that setting makes to the significance of SPCA is unharmed.
21. For the above reasons, I conclude that the works are in accordance with the LBCA Act and the significance of the heritage assets has not been harmed. Therefore, the works do not conflict with Policies CP11 and CS16 of the Havant Borough Council Core Strategy 2011, which, amongst other things, state that; development will be granted permission where it protects and where appropriate enhances the borough's statutory heritage designations by appropriately managing development in or adjacent to conservation areas and listed buildings and; all new development should be of a high standard that responds positively to the local character. They also comply with Policy DM20 which states, amongst other things, that permission will be granted for development that conserves and enhances the historic assets of Havant Borough. It follows that the works also comply with section 16 of the Framework.

## **Conclusion**

22. For the reasons given above I conclude that the appeal should succeed on ground (e). The appeal under ground (g) as set out in section 39(1) of the LBCA Act does not fall to be considered.

*D Boffin*

INSPECTOR

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<sup>1</sup> Footpaths No: 83 and 116