
Appeal Decisions

Site visit made on 15 September 2016

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 September 2016

Appeal A: APP/L3815/W/16/3146654

Park Cottage, Kirdford Road, Wisborough Green, West Sussex RH14 0DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Jon Finn against the decision of Chichester District Council.
 - The application Ref WR/15/03504/DOM, dated 19 October 2015, was refused by notice dated 23 December 2015.
 - The development proposed is demolition of existing incongruous rear dormer. New rear dormer, rear extension and connecting walkway to existing bothy.
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Appeal B: APP/L3815/Y/16/3148197

Park Cottage, Kirdford Road, Wisborough Green, West Sussex RH14 0DF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Jon Finn against the decision of Chichester District Council.
 - The application Ref WR/15/03505/LBC, dated 19 October 2015, was refused by notice dated 23 December 2015.
 - The works proposed are demolition of existing incongruous rear dormer. New rear dormer, rear extension and connecting walkway to existing bothy.
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Decisions

1. I dismiss both appeals.

Main Issue

2. In both appeals this is the effect of the proposal on the architectural and historic significance of the listed building and the character and appearance of the Wisborough Green Conservation Area.

Reasons

3. The building is listed Grade II as is the barn to the south-east at the corner of Kirdford Road and Durbans Road. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest which they possess. The property is within the Wisborough Green Conservation Area and section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Listed buildings and conservation areas are designated heritage assets and paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's
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conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.

4. Chichester Local Plan Key Policies (2014-2029) Policy 1 states the presumption in favour of sustainable development, and Policy 33 sets criteria for new residential development and replacement dwellings, although it is unclear the relevance to extensions, as the supporting text refers to new homes, subdivision and the like. Nevertheless, the criteria relate to good design which is the subject of paragraph 56 of the Framework which states that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy 47 'Heritage and Design' is clearly relevant.
5. The Council have published the '*Wisborough Green Conservation Area – Character Appraisal & Management Proposals*' which identifies Park Cottage as a 'focal building' in views within and from the Green and the property features in two of the photographs in that section.
6. It is clear that there has been a previous history of applications and advice on the extension of the building and the outbuilding referred to as the bothy. The Bothy was granted permission for an extension in April 2009 under reference 09/00606/DOM. Of particular relevance are applications WR/16/01274/DOM and WR/16/01275/LBC which were granted permission and consent on 5 July 2016 subject to conditions, and based on revised drawings having been submitted during the application process. It can be surmised that the Council have no objection to the principle of extension to the rear of the main house at two storey height, to the link and to some additions to the Bothy.
7. Whilst the building is a focal point within the conservation area, it is clear from closer views from the Green to the west that there has previously been the addition of accommodation to the rear as an outshot from the original rear wall that is visible inside the kitchen and particularly the upper corridor. That addition appears reasonably well assimilated in the longer views due to the use of sympathetic materials, but in close views within the curtilage the inappropriate form and fenestration of the dormer to the upper level is clearly a jarring element in the composition and inhibits the appreciation of the listed building. The dormer causes harm to the significance of the listed building and hence its setting, albeit that is private land. Nevertheless the significance of listed buildings is not restricted to public views.
8. The appeal proposal is to replace the dormer with a more well-integrated addition to the point of the previously extended rear wall, where there would be a 'flash gap' of glazing running up the wall and over the roof, beyond which would be a further narrower extension, which would hence have a lower roof at the same pitch. The treatment of the walls and windows would appear to contrast somewhat with that of the original building, with an exposed frame, Velux-style rooflights and large pane windows.
9. Whilst the use of a gap to divorce old and new, and with the new being substantially different to the old, can be a successful device to assimilate additions to historic buildings, the risk here is that the considerable differences in form and materials would draw attention to the change brought about by the works. In view of the siting of the building in views within the conservation

- area, this is a case where a more accurate assimilation is called for, so that the extension appears more in-tune with the detailing of the original building.
10. The link would however be a modern intervention, but its shape and use of materials would never be mistaken for original work and its low form and small scale allows this modern intervention to be successful and not to detract from the significance of either the house or the listed barn. The Bothy would be substantially enlarged, but partly this was agreed in 2009 and the 2016 permission and consent does not appear significantly different in scale or detail, but has a slightly smaller floor plan. Were all else acceptable, these parts of the work would preserve the significance of the listed buildings and the character and appearance of the conservation area.
 11. Returning then to the main house additions, it appears that the 2016 permission and consent is for a more conventional extension of the form, materials and fenestration of the original house, using dormers instead of rooflights, and whilst not necessarily a copy, this approach recognises the importance of the house, as a highly prominent building in an attractive and wide ranging setting. The appeal proposal is a well-executed and thoughtful design, but in this location would appear intrusive and out-of-place, detracting from the significance of the listed building and the character and appearance of the conservation area.
 12. The main house addition as proposed would cause harm to heritage assets. The level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Whilst the accommodation within the present dormer is small, there does not appear to be a real risk of the property falling out of beneficial use and continued preservation for want of the additional accommodation. The extant 2016 permission and consent would provide similar accommodation in any event.
 13. The harm caused by the appeal proposal would not be outweighed by public benefits, and the aims of the 1990 Act, the Framework and the Development Plan policies would not be met. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR