



Appeal Decision

Site visit made on 17 September 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 25 September 2019

Appeal Ref: APP/C3810/Y/19/3229867

Parsonage Farm House, Lake Lane, Barnham PO22 0JD

- 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 & Mrs Miles against the decision of Arun District Council.
 - The application Ref BN/38/18/L, dated 20 June 2018, was refused by the Council by notice dated 8 March 2019.
 - The works proposed are erection of an oak framed annex extension ancillary to the main dwelling.
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Decision

1. I allow the appeal and grant listed building consent for an oak framed annex extension ancillary to the main dwelling at Parsonage Farm House, Lake Lane, Barnham PO22 0JD in accordance with the terms of the application Ref BN/38/18/L, dated 20 June 2018 and the drawings submitted with it, namely 37669-2D, 37669-3B and 37669-4A, and conditions 1) to 3) on the attached schedule.

Reasons

2. The property is a Grade II Listed Building and the main issue is the effect of the works on the architectural and historic significance of the building and its setting. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any special architectural or historic features it possesses. These duties are reflected in Policies HER SP1 and HER DM1 of the Arun Local Plan, as well as in Policy ES7 of the Barnham and Eastergate Neighbourhood Development Plan, which was 'made' on 16 July 2014. Although section 38(6) of the Planning and Compulsory Purchase Act 2004 on the primacy of the Development Plan does not apply to listed building consent applications and appeals, these policies are material considerations. Paragraph 193 of the 2019 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 conservation.
3. There is a relevant planning history, with planning permission and listed building consent having been granted for a larger extension than is now proposed (Refs: BN/29/08 and BN/30/08/L), but that scheme was not implemented and the permission and consent has expired. The current appeal scheme was submitted as both a planning and a listed building consent

application, and planning permission only was granted subject to conditions on 13 March 2019 (Ref: BN/37/18/HH).

4. It is of note that the views of the Conservation Officer were referred-to in the Officer's Report to the listed building consent application, stating that '*the location/position of the extension is therefore problematic and should be amended so as to better fit with the host dwelling*', but that there was no such reference in the Report to the accompanying planning application which resulted in the grant of permission. That Report notes that '*the host dwelling is a Grade II Listed Building and the impact of the proposal on it has been assessed under the listed Building application ref: BN38/18/L*' following which the reason for refusal was quoted.
5. The two regimes are separate, hence the need for the parallel applications, but section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which applies to applications for planning permission, uses the same wording as section 16(2) which applies to listed building consent applications. In addition, section 16 of the Framework on conserving and enhancing the historic environment refers to 'development' when advising on the consideration of potential impacts and clearly applies to the planning permission regime. The grant of planning permission should reasonably be taken to indicate that the proposal complies with Policies HER SP1, HER DM1 and ES7 since section 38(6) applies.
6. The Council acknowledge the appellant's claim that no part of the existing dwelling is to be removed and the Reason for Refusal is that '*the manner and form of the extension would not integrate satisfactorily with the host building and as such, would adversely affect the character and appearance of the Grade II Listed Building.....*'. There is no reference to fabric or internal works, both of which could be a subject of an objection on listed building consent grounds without preventing the grant of planning permission.
7. Be that as it may, whilst the grant of planning permission is a material consideration of considerable weight, the duty on the decision maker in a listed building consent appeal remains as set out in statute.
8. The building has a varied plan form and roof plan, with gable ends, hip-ends and hipped-gables, the latter described as a Sussex barn arrangement. The proposed addition would be at the end of a long range extending north-west from the main house and would itself extend past the end wall of that range, but that arrangement would avoid undue visual crowding of the more significant front elevation of alternating brick colours and the well-mannered window arrangement. The low, flint-built north-west range displays architectural interest and is part of the history of the house, but the level of significance is lower than that displayed on the south-west front.
9. The addition would have its own hipped-gable roof form rather than one that is attached to the existing roof, resulting in a valley gutter between, but this avoids any confusion between new and old and mimics an arrangement at the north-east corner where a porch is similarly attached to the historic house.
10. There would, contrary to the view expressed in representation and the Council's Statement, be some removal of historic fabric, to accommodate the door between the existing building and the addition, but this would be within a rubble wall at the location of the existing garage lobby and stair, and evidence

of the same would remain untouched to the far side. As a result, it is concluded that the proposal would be acceptable in its effect on the listed building and its setting.

11. The Council has suggested 3 conditions in addition to the standard time limit for commencement, but since the provisions for greater flexibility in planning permissions do not apply to the listed building regime, there is no need to list the drawings in a condition, it being sufficient to list the 'as-proposed' drawings in the formal Decision. The suggested conditions on materials and joinery details are reasonable and necessary to ensure the quality of the works.
12. With those provisions, the proposal would accord with the aims of local and national policy as well as statute on the preservation of listed buildings. For the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) No works above slab level shall take place until a schedule of materials and finishes to be used for external walls and roof of the proposed extension have been submitted to and agreed in writing by the Local Planning Authority and only the materials so approved shall be used in the construction of the extension.
- 3) No works above slab level shall take place until a schedule and details of all proposed joinery of the proposed extension have been submitted to and agreed in writing by the Local Planning Authority and only the schedule and details so approved shall be used in the construction of the extension.