The Planning Inspectorate

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: 1 October 2019

Appeal Ref: APP/D3830/W/18/3213852
Great Thorndean Farm Cottage, Slough Green Lane, Warninglid RH17 5SL

- 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 & Mrs Bedford against the decision of Mid Sussex District Council.
- The application Ref DM/17/5141, dated 15 December 2017, was refused by notice dated 13 April 2018.
- The development proposed is erection of replacement dwelling.

Decision

1. I dismiss the appeal.

Application for Costs

2. An application for costs was made by Mr & Mrs Bedford against Mid Sussex District Council. This application is the subject of a separate Decision.

Main Issue

3. There are Grade II listed buildings of Great Thorndean Farmhouse with Granary adjoining, and at the Barn, south-west of the Farmhouse, together with what are considered curtilage listed structures. The main issue in this appeal is the effect of the proposal on the settings of listed buildings.

Reasons

4. The Refusal Notice refers only to Policy DP34 of the Mid Sussex District Plan on listed buildings and other heritage assets, and this states that development will be required to protect listed buildings and their setting, the latter is to be given special regard under one of the sub-paragraphs. The Officer's Report drew attention to Policy DP15 which states that a replacement dwelling in the countryside will be permitted where, among other things, it maintains or where possible enhances the built landscape. Further policies on the High Weald Area of Outstanding Natural Beauty, the Ashdown Forest Special Protection Area, transport, character and design, space standards, trees and woodland, biodiversity, sustainable design, and flood risk were also referred to.

5. The site is within the area covered by the Ansty, Staplefield & Brook Street Neighbourhood Plan which was 'made' in February 2017 and other than the specific Policy AS10 regarding the Staplefield Conservation Area, relies on the District-wide and national policies on heritage matters.

6. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 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. The Officer's Report refers to the 'Barnwell Manor' Court of Appeal case and the considerable importance and weight to be given to harm to the setting of a listed building.

7. The existing dwelling is agreed not to be of any merit or to contribute positively to the setting of the listed buildings. In fact the observation at the site inspection is that the basic pyramid roofed bungalow has been visually hemmed-in by a variety of poor-quality flat-roofed additions, increasing the footprint and sense of the building sprawling over the curtilage, and causing harm to the character and appearance of the area and hence to the setting of the listed buildings. The principle of its replacement is agreed, and that has been shown by the Council granting permission for a dwelling subsequent to the refusal of the appeal scheme (Ref: DM/19/1553 dated 2 July 2019).

8. It is clear from the various drawings supplied by the Council and from observations at the site inspection that change has occurred to the listed barn and continues to occur to the partly converted curtilage listed Dairy building (Ref: DM/17/1837 and DM/17/1846). The former is in residential use and although retaining the proportions, massing and materials of an agricultural barn, has been subject to an addition to the north-west corner, although the drawing indicates that an existing shed in that location was removed. The Dairy building was in the process of being lengthened at both ends and raised in height, and will have an addition from the south-east corner linking it to an adjacent presently detached building. Again, certain other structures are removed.

9. The listed Farmhouse is to the far side of the Barn and due to vegetation as well as built form that would remain, is less visually linked with the appeal site than the Barn and Dairy. These two nearer buildings are proposed to form a distinct courtyard between the main part of the Barn and the lengthened Dairy, together with their north and south additions and car port. This would retain elements of a 'farmstead' arrangement but somewhat diluted by the residential uses and the physical changes required to accommodate them.

10. Nevertheless, the setting of the farmstead of listed buildings extends beyond their boundary and encompasses the appeal site and land further from the farmstead due to the agricultural history of the land, notwithstanding any change in ownership more lately. The farmstead is compact within the upper part of a south facing valley with land rising on 3 sides, including to the south-west where the appeal site is located on higher ground. It is the fact that other modern additions are in place, another bungalow to the north of the group, a large barn to the north-west and Oak Wood House to the east, but these modern buildings do not confuse the appreciation of the historic core of the farmstead.

11. The proposed new house would occupy a location similar to that of parts of the bungalow and its additions, and would be a compact rectangular plan form with 2 storeys and a pitched roof with hipped-gable ends. It would have a barn

aesthetic with full-height openings reminiscent of one-time cart-doors in the long sides and further windows elsewhere, set in boarded walls and having a tiled roof.

12. No doubt intentional, but the overall effect would be of a converted historic structure set apart from the farmstead and tending to confuse the understanding of the historic layout, and eroding the remaining value of the Barn and Dairy and the farmstead to which they would remain a recognisable part. The architectural treatment and proportions of the proposed building would cause harm to the setting of the listed buildings in the farmstead.

13. The level of harm would be 'less than substantial', a differentiation required between paragraphs 195 and 196 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.

14. The local planning authority acknowledges that the proposal may have some public benefit in terms of economic and social benefits, due to the provision of construction jobs during the build period and purchasing of local materials. In addition the findings above include that there would be some benefit from the removal of the harmful bungalow, although the weight to be attached would depend on the acceptability of the replacement building, and in this case the shortcomings of the design mean that the balance lies in the harm identified not being outweighed by public benefits.

15. This conclusion is reinforced by the nature of the proposal that the Council has found acceptable in this location, which has elements of a barn aesthetic but sufficient contemporary features and details to set it apart from the farmstead rather than compete visually with it. The conclusion is that the proposed replacement dwelling would not accord with the local and national policies on the setting of heritage assets and would fail to satisfy the test in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR