



Appeal Decision

Site visit made on 10 September 2019

by Mrs H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2019

Appeal Ref: APP/Y9507/W/19/3230084

**Cowdray Farm Shop and Cafe, A272 Easebourne St to Heath End Lane,
Easebourne GU29 0AJ**

- 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 Cowdray Farm Shop and Cafe against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/05112/FUL, dated 28 September 2018, was refused by notice dated 27 March 2019.
 - The development proposed is extensions and minor internal alterations to Cowdray Cafe.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host buildings and the setting of nearby heritage assets, including the Grade I listed Easebourne Priory and Refectory, Grade I listed Parish Church of St Mary; Grade II* Cowdray House Registered Park and Garden and the Easebourne Conservation Area.

Preliminary Matters

3. Since the appeal application was determined, there has been a material change in the policy context. The South Downs Local Plan (Local Plan) was adopted in July 2019 and its policies supersede those from the Chichester District Local Plan 1999. The policies of the then emerging Local Plan are listed on the Authority's decision notice and have been addressed by the appellant.

Reasons

4. The proposal falls within the setting of the aforementioned heritage assets, amongst others detailed further below and as set out in the appellant's submitted Heritage Statement. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that I pay special regard to the desirability of preserving listed buildings and their respective settings. The appeal site also lies adjacent to the Easebourne Conservation Area (CA). I am also required under Section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. The Grade II* Cowdray House Registered Park and Garden is of considerable significance owing to the remnants of the 16th and early 17th century formal gardens which surround the ruins of the Tudor mansion, Cowdray House, which

itself is a Scheduled Monument and Grade I listed building, set within a 16th century park.

6. The Grade I Parish Church of St Mary has elements that date back to the 11th century and stands at the entrance to the Cowdray Estate, outside of the registered park itself. Its significance is derived from its architectural, historic and archaeological interest as a parish church, latterly associated with the 13th century Easebourne Priory. Easebourne Priory (Grade I) incorporates three separate structures which form three sides of a cloister with the church completing the northern side: The Priory Flats and The Priory (Grade I); The Refectory (Grade I) and the wall to the north of the Refectory (Grade II). The Priory and Refectory derive their significance from a combination of their architectural, historic and archaeological interest as well-preserved buildings of their time and from their association with one another. The listed wall is the remaining section of the western side of the cloister that linked the buildings and draws its significance from its age and association with the principal listed structures.
7. Notwithstanding the absence of a conservation area appraisal, I consider that Easebourne CA draws its significance from the number and range of well-preserved historic dwellings constructed from a limited range of traditional materials and many of which have evident connections with the Cowdray Estate. Added to this is the significance of the key buildings and focal points of the CA, including the Parish Church of St Mary and the Priory.
8. The appeal buildings form part of the Cowdray Estate and from the evidence, it appears that they were formerly an estate cottage and barn adjoining a range of former stables which collectively form an open courtyard arrangement. The buildings have been converted to form the café and farmshop that now exist, with peripheral buildings on the outer edge of the courtyard in complementary uses. The buildings are not designated but the Authority suggests that they are Non-Designated Heritage Assets (NDHAs). However, given that there is limited evidence of any process through which the group of buildings were assessed and registered as such, I have not treated them as NDHAs for the purposes of applying the provisions of the National Planning Policy Framework (2019) (the Framework).
9. Nonetheless, the grouped buildings are associated with a wider historic estate that is of great significance to the area. Due to the manner in which they have been converted and extended, even with a link between the two, the appeal buildings retain much of their original character and allow an appreciation of their former uses. The former cottage is the dominant, low two storey building with a traditional form and appearance. The former barn sits immediately to the rear of the cottage and is a single storey building with a large hipped roof form. There are some small lean-to extensions on the rear of the cottage and side of the barn.
10. The appeal proposal would extend the former barn, elongating it further into the courtyard. Another projection would extend from the side elevation of the former cottage with a lean-to roof and would adjoin the barn extension at a right angle.
11. Whilst the appellant highlights that the extensions have been designed to reflect the original character and appearance of the buildings, they would result in them having a convoluted arrangement of add-on elements. The extensions

- would obscure a greater proportion of the rear and side elevations of the former cottage, concealing its domestic proportions and features and undermining the appreciation of its former use. The additional bulk of the extension to the former barn would also undermine the primacy of the two storey cottage building within its courtyard arrangement.
12. Due to their siting, scale and massing, the extensions would also result in the conjoined buildings becoming an imposing feature at the entrance to the courtyard, undermining their proportionality and subtlety in the context of their historic form and that of the wider courtyard.
 13. I note that the existing lean-to extensions are not sympathetic to the host buildings. They are nonetheless, modest in size, below the eaves line and observe the building line of the former cottage. Whilst the proposal would lengthen the barn in a manner that would appear sympathetic to its existing character, the lean-to extension to the former cottage would ostensibly appear to be a larger, repositioned version of that which already exists and cannot be said to be a marked improvement. As such, the existing extensions are not sufficient justification for the appeal proposal.
 14. In terms of the harm to the setting of the CA, given the modest scale of the proposal relative to the size of the CA and its siting in relation thereto, the proposal would not result in more than negligible harm to the setting of the CA.
 15. Owing to the siting and scale of the proposal, it would not harm the setting of the Grade II dwellings, Nos 2 and 3 Petworth Road.
 16. As the gate piers to the courtyard are not original features of the historic courtyard, I do not consider that the proposal would harm their setting.
 17. Despite not being in the most important views towards the Grade I listed Priory, Refectory and Parish Church of St Mary and the Grade II* listed Registered Park and Garden of Cowdray House, given the proximity and visual relationship of the proposal thereto, it would be visible in the context of these assets. Due to the additional bulk of the proposal, its prominent siting and the manner in which it would obscure some original features of the buildings, the proposal would form an unsympathetic addition within views to and from these assets, thus harming their significance.
 18. Insofar as the proposal would harm the character and appearance of the host buildings, the proposal would conflict with, in particular, Local Plan Policy SD5, which seeks to ensure that new development contributes to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement pattern.
 19. Policies SD12, SD13 and SD15 of the Local Plan require that proposals conserve and enhance the historic environment, including listed buildings and conservation areas, and their settings. As the proposal would not at least conserve the settings of these assets, it would also conflict with these Policies.
- Planning balance and conclusion**
20. The Framework sets out that less than substantial harm to the significance of designated heritage assets should be weighed against the public benefits of the proposal.

21. The appellant highlights that the proposal will increase the number of covers in the café to make the venue useable by a greater number of customers, particularly throughout the winter months. This would be likely to increase turnover and result in the employment of additional staff. The economic benefits of the proposal would help to provide a revenue stream which could be used for the maintenance of a number of heritage assets within the ownership of the Cowdray Estate, albeit that there is no mechanism to suggest that it is intended solely as an 'enabling' development. Whilst I cannot be certain that the proposal is the only means of securing such economic benefits, they are attributed moderate weight in the overall planning balance.
22. The proposal would result in less than substantial harm to the setting of heritage assets. Whilst I consider that the magnitude of harm would be towards the lower end of less than substantial in all identified instances, more weight can reasonably be attached in the overall balance to a number of less than substantial harms.
23. Accordingly, the totality of the identified harm would not be outweighed by the benefits of the proposal. The proposal therefore conflicts with the development plan, read as a whole, and with the provisions of the Framework.
24. For the reasons set out above, the appeal is dismissed.

Hollie Nicholls

INSPECTOR