
Appeal Decisions

Site visit made on 20 November 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 2 December 2019

Appeal A: APP/N1730/W/19/3222014

Summers Farm, The Street, Long Sutton, Hook RG29 1TQ

- 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 Mrs S Pipe against the decision of Hart District Council.
 - The application Ref 18/02073/HOU, dated 7 September 2018, was refused by notice dated 22 November 2018.
 - The development proposed is erection of single storey side extension and porch, alterations to fenestration.
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Appeal B: APP/N1730/Y/19/3222015

Summers Farm, The Street, Long Sutton, Hook RG29 1TQ

- 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 Mrs S Pipe against the decision of Hart District Council.
 - The application Ref 18/02074/LBC, dated 7 September 2018, was refused by notice dated 22 November 2018.
 - The works proposed are erection of single storey side extension and porch, alterations to fenestration.
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Decision Appeal A

1. I allow the appeal and grant planning permission for the erection of single storey side extension and porch, alterations to fenestration at Summers Farm, The Street, Long Sutton, Hook RG29 1TQ in accordance with the terms of the application Ref 18/02073/HOU, dated 7 September 2018 and subject to conditions 1) to 4) on the attached schedule.

Decision Appeal B

2. I allow the appeal and grant listed building consent for the erection of single storey side extension and porch, alterations to fenestration at Summers Farm, The Street, Long Sutton, Hook RG29 1TQ in accordance with the terms of the application Ref 18/02074/LBC, dated 7 September 2018 and the submitted drawings namely 171108-101, 102, 103A, 104A, 400A, 401, 402, 403 and 404, and subject to conditions 1) to 3) on the attached schedule.

Main Issue

3. The building is listed Grade II and is within the setting of the adjacent Grade II* listed barn. The main issue in both appeals is the effect of the proposal on the architectural or historic significance of the buildings and their settings.

Reasons

Policy and Statute

4. 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 building or its setting or any features of special architectural or historic interest which it possesses.
5. Saved Policy CON17 of the Hart District Local Plan concerns proposals for the extension or alteration of listed buildings and requires that the scale of the building is not materially changed; and that the design is appropriate to the character and setting of the building.
6. Paragraph 193 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 conservation.

Preliminary Findings

7. Permission and consent were granted in 2012 for what was described as '*erection of a single storey side extension, internal alterations, French window to the cottage and alterations to the forecourt and garden*' under reference numbers 12/02188/HOU and 12/02189/LBC. Whilst the Council consider that and the present appeal scheme to be 'more or less the same', the appellant considers the appeal scheme to replicate the 2012 approved scheme 'in all key regards'. Drawings have been provided of that previous scheme and the changes now proposed are minor, leaving the footprint, scale and massing unaltered and with limited changes to a step and to the externally expressed framing and fenestration.
8. It would appear that although parts of the works were commenced, the permission and consent lapsed due to a failure to discharge a pre-commencement condition, hence the need for the re-submissions.
9. Having mind to the date of the Council's approval, being after the publication of the 2012 Framework, and the fact that the 1990 Act was in place at that time, as was the present Local Plan which was adopted in 2009, the Council's acceptance that '*there have been no major changes or shifts in heritage policy, either at local or national level since December 2012*' is an accurate and fair position. The Officer's Report on the previous scheme contained the view that there were no concerns about the proposals as they were to the modern sections of the dwelling and there would be minimal loss of fabric to the listed building. The proposals were considered not to affect the significance of the heritage asset.
10. The previous grant of permission and consent is a material consideration of significant weight in determining the present appeal, due to being for substantially the same scheme to be judged within the same legislative and policy framework, and no later court cases have been referred to that might alter that finding. Nevertheless, statute requires each decision maker to consider afresh the effect on the listed buildings.

The Effect on the Listed Buildings and their Settings

11. The planning and building history has been set out in submissions to these appeals, and the part of the building to which the proposed addition would be joined is described as being a 1930s extension. The architectural and historic significance of the building is particularly high at the front elevation to the road and the range back from that and diminishes towards the rear. The 1930s extension is of limited historic significance, but it does not detract from either that or the architectural significance of the building as a whole, being largely neutral in its effect. There is no reason to prevent an addition to this part of the building on grounds of the effect on fabric or the composition of that part.
12. The Council express the view that using the argument of only attaching to less historic significant parts could be used to justify a succession of extensions away from the truly historic and architecturally significant parts. Such an argument would however need to be tested against the actual effects and there would come a time when the sum of the additions either overwhelm the historic parts or otherwise adversely affect the balance of new to old, harming the significance of the truly historic parts.
13. Neither of those positions result from the proposed addition, the design of roofs, walls and openings, including to the veranda, would be sympathetic to the part of the building they abut, and there would be limited and wholly acceptable effects on fabric. The boot room would jut-out beyond the side wall of the frontage range but would be sufficiently far behind as to have no adverse effect on the proportions or historic interest of the building and would not upset the appreciation of its architectural merits from the road. The conclusion is that the proposal would cause no harm to the Grade II listed Summers Farmhouse.
14. The proposed addition would be within the setting of the Grade II* barn, as that and the former farmhouse together with other buildings form a clearly discernible historic agricultural group. The appeal proposal would project towards the barn but there are other buildings that have been put to new uses within the group and the rear parts of the farmhouse have been added to since the group was established. The barn is described as having particular significance as being a rare Hampshire example of a Medieval cruck barn, and the appeal proposal would not affect that significance nor undermine its setting across the open yard, now a gravel parking area for the domestic uses.
15. To sum up, the proposed addition would be well-designed and would not harm the architectural or historic significance of either the house or the barn, and hence would satisfy the statutory tests in section 16(2) and 66(1) of the 1990 Act, Policy CON17 of the Local Plan and the requirements of the Framework with regard to the preservation of designated heritage assets. There is no reason to come to a different conclusion than that reached in 2012 and both planning permission and listed building consent should be granted.

Conditions

16. The Council had suggested 4 conditions, including the standard time limit for commencement. The appellant considers that conditions 3) and 4) requiring 1:20 drawings and details of fixings to the existing building to be unnecessary as no historic fabric is affected. On the first it is reasonable in a sensitive location such as this to require larger scale drawings, and with regard to

fixings, whilst the Reasoning in this Decision accepts the age and lesser significance of the 1930s addition to which the appeal proposal would be fixed, it is part of the listed building and should be protected from physical harm. Both conditions will be attached and the appellant's acceptance in the alternative of them being found necessary is taken to be the required agreement under Section 100ZA(5) of the Town and Country Planning Act 1990. Implementation clauses will be added to the suggested wording in each case.

17. A condition naming the 'as proposed' drawings is required in the planning permission only for the avoidance of doubt, as the provisions for greater flexibility in planning permissions do not apply to listed building consents.

Conclusions

18. Whilst the grant of permission and consent for almost the same proposal in 2012 is a material consideration of significant weight, and there has been no real change to the legislative or policy background, the current proposals have been considered afresh and have been found to be acceptable in their effect on the architectural and historic significance of the listed house and on the setting of the listed barn. The proposal causes no harm and accords with policy at local and national level as well as statute in the Planning (Listed Buildings and Conservation Areas) Act 1990. For the reasons given above, it is concluded that both appeals should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions Appeal A – Planning Permission

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved drawings; 171108-101, 102, 103A, 104A, 400A, 401, 402, 403 and 404.
- 3) Prior to the commencement of the development hereby permitted sectional drawings at a minimum scale of 1:20 illustrating the roof of the extension, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) Prior to the commencement of the development hereby permitted a detailed method statement indicating how the extension is to be affixed to the existing building, and how any areas of existing fabric affected will be made good during, or as a result of the works, shall be submitted to and approved

in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Schedule of Conditions Appeal B – Listed Building Consent

- 1) The works hereby approved shall be begun before the expiration of three years from the date of this consent.
- 2) Prior to the commencement of the works hereby permitted sectional drawings at a minimum scale of 1:20 illustrating the roof of the extension, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 3) Prior to the commencement of the works hereby permitted a detailed method statement indicating how the extension is to be affixed to the existing building, and how any areas of existing fabric affected will be made good during, or as a result of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.