



Appeal Decisions

Site visit made on 18 November 2019

by Vicki Hirst BA (Hons) PG Dip TP MA MRTPI

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

Decision date: 18 December 2019

Appeal A Ref: APP/Y9507/W/19/3220200

Appeal B Ref: APP/Y9507/Y/19/3220202

Farm Cottage, Barlavington Lane, Sutton, RH20 1PN

- Appeal A is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - Appeal B is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeals are made by Mr and Mrs Walker against the decisions of the South Downs National Park Authority.
 - The applications Ref SDNP/18/03665/HOUS and SDNP/18/03666/LIS, dated 9 July 2018, were refused by notice dated 29 October 2018.
 - The development and works proposed are single storey side and rear extensions with minor external conservation repairs.
-

Decisions

1. Appeal A is allowed and planning permission is granted for single storey side and rear extensions with minor external conservation repairs at Farm Cottage, Barlavington Lane, Sutton, RH20 1PN in accordance with the terms of the application, Ref SDNP/18/03665/HOUS, dated 9 July 2018 and the plans submitted with it, subject to the conditions in the attached schedule.
2. Appeal B is allowed and listed building consent is granted for single storey side and rear extensions with minor external conservation repairs at Farm Cottage, Barlavington Lane, Sutton, RH20 1PN in accordance with the terms of the application, Ref SDNP/18/03666/LIS dated 9 July 2018 and the plans submitted with it, subject to the conditions in the attached schedule.

Procedural Matters

3. A combined application form was used for the works and development proposed under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning Act 1990. As set out above, there are two appeals before me which I have considered on their individual merits. However, to avoid duplication I have dealt with the two together except where otherwise indicated.

4. Since the South Downs National Park Authority (the Authority) issued its decision the Authority has adopted the South Downs Local Plan (the Local Plan) and a new version of the National Planning Policy Framework (the NPPF) was published in February 2019.
5. The parties were consulted on the Local Plan and its implications for these appeals. Whilst I note the appellant's comments that the appeals should be determined with regard to those policies in place at the time the applications were determined, I am required to make my decision in relation to Appeal A in accordance with the development plan unless material considerations indicate otherwise¹. Furthermore the development plan is a relevant material consideration in relation to Appeal B. The current adopted development plan is the Local Plan and I have accordingly made my decisions with regard to it.
6. I am satisfied that the revised version of the NPPF does not make any material difference to the main issues in these cases and I have had regard to it as a material consideration in reaching my decisions.

Main Issues

7. The main issues are:
 - whether the proposal would preserve the listed building or its setting, or any features of special architectural or historic interest which it possesses²;
 - whether the proposal would preserve or enhance the character or appearance of the Sutton Conservation Area³; and
 - the effect of the proposal on the character and appearance of the area with particular regard to whether it would conserve and enhance the natural beauty, wildlife and cultural heritage of the South Downs National Park⁴.

Reasons

Effect on the listed building

8. The appeal property is located in the small downland village of Sutton within the South Downs National Park. It occupies an elevated position on the northern side of Barlavington Lane which serves a number of properties within the village. The property is accessed via a vehicular drive to the east with pedestrian access from steps to the front of the property through a stone boundary wall.
9. It is a Grade II listed building and the listing description describes it as an early 19th century farm cottage of one storey with an attic. It has three windows and three gable dormers to the front and is constructed of Malmstone rubble with red brick dressings and quoins with a tiled roof. The significance of the property lies in its simple timber framed vernacular architecture.
10. The property has been extended to both the north (rear) elevation and to the east (side) elevation. The proposal would replace the existing extension to the east with a larger, hipped and catslide roofed single storey extension that would extend beyond the rear elevation of the existing cottage. This contrasts

¹ Section 38(6), Planning and Compulsory Purchase Act 2004

² Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

³ Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

⁴ Section 61, Environment Act, 1995

with the existing extension that terminates in line with the rear wall. The proposed works also include some conservation repairs to repoint defective masonry with lime mortar, replacement of UPVC drainage goods with black painted cast iron, replacement of windows with single glazed units (which have already been completed) and the replacement of a door with a more sympathetic stable door.

11. The Council's decision notices cite the mass, bulk and design of the extension as being overly dominant to the cottage and which would detract from the linear form and historic character and fabric of the listed building.
12. The extension to be replaced is of relatively modern construction and its loss would not be harmful. The extension would utilise the existing opening through the original stone wall at the eastern end of the cottage. Its height would be similar to the existing and as a result of the hipped and catslide roof design would not affect any more of the original eastern end gable wall than the existing. Furthermore, the plan form of the cottage would remain largely unaffected by the proposal.
13. Whilst I note the concerns in relation to the effect of the extension on the linear form of the cottage, the extension to the north at the western end projects some distance to the rear and alters the legibility of the original simple linear shape of the cottage. Whilst the proposal would add a further projecting element to the rear, the existing exposed extent of the northern wall of the original cottage would continue to be legible. When viewed from the front, public facing elevation the original form and detail of the cottage would remain.
14. The ground levels rise from south to north and I note the intention to cut the extension into the rising ground. This would assist in minimising its bulk with the associated effect that it would not dominate the existing cottage. It would appear as a subservient and modest addition at the same floor level as the existing cottage. Whilst I note the Council's concerns that the extension would form a courtyard that would be alien to the cottage's form and layout, the position of the garden on higher ground to the north of the cottage results in the rear of the property being situated at a lower level with an associated retaining wall that already provides a visual sense of enclosure.
15. The proposed materials and details for the extension are intended to match the existing which will enable it to be assimilated with the original fabric and appearance of the listed building. The conservation repairs would also reinstate original detailing and be a positive enhancement of the listed building.
16. In conclusion I find the proposal would preserve the special interest of the listed building and its setting and the special architectural and historic features that it possesses. It would not result in harm to its significance. The proposal would be in accordance with the Local Plan, in particular policies SD1, SD5, SD12 and SD13. These policies seek to ensure, amongst other things, that proposals comprise sustainable development by conserving and enhancing the cultural heritage of the National Park, respect local character through a landscape led approach and by utilising appropriate and sympathetic design, conserve and enhance the historic environment through safeguarding heritage assets and their settings and preserve and enhance the significance of listed buildings.

17. The proposal would also sustain the significance of the listed building and conserve it as a heritage asset as required by paragraphs 192 and 193 of the NPPF and meet the statutory requirements of Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Effect on the Conservation Area

18. I have not been provided with any character appraisal of the Conservation Area. The Conservation Area Plan indicates that most of the village is designated and from the evidence before me and from my own observations on site, its designation is in recognition of its character as a traditional downland village comprising a number of local vernacular timber framed and stone houses and buildings. The appeal property makes an important contribution to this character.
19. I have found above that the proposal would preserve the special interest and significance of the listed building. Whilst the property is elevated above the road, the modest and subservient nature of the extension would not be dominating to the property or to the surrounding area. Whilst it would be visible from the street to the south, its bulk, massing and use of the topography to cut it into the rising ground would not result in it appearing dominating or intrusive. In addition, the conservation works to the property would enhance the traditional and historic features and characteristics of the property which in turn would be beneficial to the contribution the property makes to the wider Conservation Area.
20. I find the proposal would preserve and enhance the character and appearance of the Conservation Area and would be in accord with policies SD12 and SD15 of the Local Plan. These seek to preserve or enhance the special architectural or historic interest, character or appearance of Conservation Areas and the general historic environment. The proposal would accord with the requirements of the NPPF to sustain, conserve and enhance the significance of heritage assets and the statutory duty of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Effect on the National Park

21. The statutory purposes of the National Park include conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.
22. Given my conclusions above, I do not find that the proposal would cause harm to the natural beauty and cultural heritage of the National Park. I have no evidence before me that it would cause any harm to wildlife subject to the appropriate avoidance measures advocated in the Bat Emergence/Re-Entry Survey. As such, the proposal would be in accord with policy SD1 of the Local Plan which sets out the Authority's purposes and would be in compliance with Section 61 of the Environment Act 1995.

Conclusions

23. I have taken into account all other matters raised, including the objection from The Common Parish Council of Barlavington and Sutton, but find none that justify withholding permission on either appeal. I conclude that the proposal would preserve the special interest and setting of the listed building and would not result in harm to its significance. It would preserve and enhance the character and appearance of the Conservation Area and conserve and enhance

the natural beauty, wildlife and cultural heritage of the National Park. It would be in accord with the development plan, national policy and the relevant statutory requirements. For the reasons above I allow both appeals.

Conditions

24. I have considered the Authority's suggested conditions in light of the advice in the Government's Planning Practice Guidance "Use of Planning Conditions". Conditions on both appeal decisions are reasonable and necessary to meet the statutory time for implementation and to require the development to be carried out in accordance with the approved plans. I have specified the relevant drawings as this provides certainty.
25. It is also necessary to impose conditions on both decisions to agree materials, finishes and details of windows and doors in the interests of preserving the special interest of the listed building and the contribution it makes to the Conservation Area. Whilst I note that the replacement of the double-glazed panes has already been completed there are a number of other windows and doors that will require approval. A condition requiring a method statement to be approved is necessary for Appeal B to ensure the works are carried in a manner sympathetic to the listed building. I note the appellant has no objection to the imposition of these conditions. I find it necessary that the details required under the relevant conditions are discharged prior to commencement in the interests of the preservation of the listed building and the continuation of the contribution it makes to the Conservation Area.

Vicki Hirst

INSPECTOR

APPEAL A - SCHEDULE OF CONDITIONS – APP/Y9507/W/19/3220200 – FARM COTTAGE, BARLAVINGTON LANE, SUTTON, RH20 1PN

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. W990–00 Rev D (Location and Site Plan), Drawing No. W.990 11 Rev A (Existing and Proposed South Elevation & Existing and Proposed First Floor/Roof Plan), Drawing No. W.990 12 Rev B (Existing and Proposed East Elevation & Sections), Drawing No. W.990 10 Rev A (Existing and Proposed North Elevation & Existing and Proposed Ground Floor).
- 3) Notwithstanding any details submitted no development/works shall commence until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.
- 4) Notwithstanding the approved plans, no windows or doors shall be installed until details have been submitted to and approved in writing by the Local

Planning Authority. The details shall include: Plans to identify the windows and doors in question and their locations within the property cross referenced to an elevation drawing or floor plan for the avoidance of doubt; 1:20 elevation and plan; 1:10 section with full size glazing bar detail; the position within the opening (depth of reveal) and method of fixing the glazing (putty or beading); and a schedule of the materials proposed, method of opening, and finishes. Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

APPEAL B - SCHEDULE OF CONDITIONS – APP/Y9507/Y/19/3220202 – FARM COTTAGE, BARLAVINGTON LANE, SUTTON, RH20 1PN

- 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
- 2) The works hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. W990-00 Rev D (Location and Site Plan), Drawing No. W.990 11 Rev A (Existing and Proposed South Elevation & Existing and Proposed First Floor/Roof Plan), Drawing No. W.990 12 Rev B (Existing and Proposed East Elevation & Sections), Drawing No. W.990 10 Rev A (Existing and Proposed North Elevation & Existing and Proposed Ground Floor).
- 3) Notwithstanding any details submitted no works shall commence until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.
- 4) Notwithstanding the approved plans, no windows or doors shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include: Plans to identify the windows and doors in question and their locations within the property, cross referenced to an elevation drawing or floor plan for the avoidance of doubt; 1:20 elevation and plan; 1:10 section with full size glazing bar detail; the position within the opening (depth of reveal) and method of fixing the glazing (putty or beading); and a schedule of the materials proposed, method of opening, and finishes. Thereafter the works shall be carried out in full accordance with the approved details and the works shall be maintained as approved in perpetuity.
- 5) No works shall commence unless and until a method statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall not be carried out other than in full compliance with the approved method statement.