

Appeal Decisions

Hearing Held on 12 February 2020

Site visit made on 12 February 2020

by R Barrett BSc Hons MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 17 February 2020

Appeal Ref: APP/Y9507/W/19/3233350

Ivy Cottage, Avington Road, Avington SO21 1DD

- 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 and Mrs Day-Robinson against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/18/06579/HOUS, dated 20 December 2018, was refused by notice dated 20th June 2019.
 - The development proposed is described as 'extension to the rear of the site'.
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Appeal Ref: APP/Y9507/Y/19/3233355

Ivy Cottage, Avington Road, Avington SO21 1DD

- 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 and Mrs Day-Robinson against the decision of the South Downs National Park Authority (the Authority).
 - The application Ref SDNP/18/06580/LIS, dated 20 December 2018, was refused by notice dated 20th June 2019.
 - The development proposed is described as 'extension to the rear of the site'.
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Decisions

1. Both appeals are dismissed.

Procedural Matters

2. Both appeals relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them in one document.
3. The South Downs Local Plan was adopted on 2 July 2019. I have made my decisions in light of this.
4. At the hearing the appellant and at least one interested party present expressed concern that some local residents did not receive notification letters. I have a letter of notification, sent to those who made written representations before me. The Authority confirmed that those letters were sent and the appellant did not disagree. A petition including the signatures of the occupiers of the vast majority of homes in the village was presented at the hearing. Further, at least one person who did not receive a letter of notification was present. Taking all these matters into account, on balance, I am satisfied that proceeding with the hearing would not prejudice the interests of any party; a matter that was agreed by both main parties. I will determine the appeals on this basis.

Main Issues

5. Whether the proposed development and works would preserve the special architectural or historic interest of Ivy Cottage, a grade II listed building; and whether they would preserve or enhance the character or appearance of the Avington Conservation Area.

Reasons

6. The appeal site includes a small 18th century detached cottage, of brick and pantile, with a simple compact form and detailing. It has been extended and altered over time, including the addition of a catslide roof at its rear. Set back from the street behind a small wall, its main garden slopes upwards behind the house. It includes a small outbuilding sited to its rear, of simple form and detailing. Due to the separation distance from the main house, its small size, simple form and detailing, it reads as secondary to it. The appeal property's simple form, detailing, historic fabric and internal arrangement, along with its relationship with the outbuilding to the rear, all contribute to its significance as a listed building.
7. The appeal property, is close to open fields, trees and planting and has a large garden. Those matters contribute to its rural and spacious setting. That in turn contributes to its significance as a listed building and heritage asset.
8. The appeal site is located within the Avington Conservation Area. That includes a collection of historic buildings of varying size, age, style and design. Trees, planting and open space, including private gardens, add to the Conservation Area's spacious and rural feel. The appeal site, its historic fabric, simple form and historic detailing along with its spacious rear garden and planting, significantly contributes to the character and appearance of the Conservation Area that I have identified.
9. The appeal proposal would include an enlarged building, roughly in the place of the existing small outbuilding, along with a link to the main house. The resultant built form would be very large in relation to the existing building, such that it would appear out of scale with it. Even though the appeal proposal would be cut into the slope of the garden, it would still appear visually dominant in relation to the main house. When viewed from the side, it would represent a significant increase in bulk, such that it would compromise the simple compact form of the historic core. Further, by linking on to the main house in the manner proposed, its complex, linear form would fail to integrate successfully with the existing simple, compact form, including catslide roof, of the main house, particularly when viewed from the side. Moreover, the proposed use of a mixture of materials, would appear particularly out of place against the restrained use of brick and pantile on the main house. Finally, due to its size and siting, it would erode the building's open spacious setting. Overall, it would seriously compromise the listed building's simple, detached and compact form and its spacious rural setting and result in unacceptable harm to its significance.
10. In coming to this conclusion, I have had regard to the suggested low profile of the proposed addition, that it would be sited to the rear of the main house, its impact would be diminished in some views by planting or other structures, and additional planting could further diminish its prominence in some views. I have noted the comments of the Authority's landscape officer in this regard. I also

acknowledge that there are advantages in separating the proposed addition from the main historic building and that the use of glass would aid an understanding of the listed building's history. However, none of those matters overcome the concern that I have for the size and design of the proposed addition, in relation to the main building.

11. I have previously found that the appeal site contributes to the character and appearance of the Conservation Area. I have also found that unacceptable harm to the listed building would be a consequence of this proposal. It therefore follows that it would fail to preserve the character and appearance of the Conservation Area.
12. I conclude that the appeal proposal would fail to preserve the special architectural and historic interest of Ivy Cottage, a grade II listed building. Further, it would fail to preserve or enhance the character or appearance of the Avington Conservation Area. For these reasons, it would be contrary to policies SD13 and SD15 of the South Downs Local Plan adopted 2 July 2019 (2014-2033). Those policies, together, seek development that would preserve and enhance the significance of a listed building and its setting and preserve or enhance the special architectural or historic interest, character or appearance of a conservation area

Other Matters

13. I note the appellant's concern regarding the Authority's pre-application advice and the way in which the appeal application was determined. However, this is a matter between the Authority and the appellant in the first instance.
14. I acknowledge that the appeal property is modest in size, with small rooms and low ceilings and may present challenges for a large family. However, those characteristics comprise some of the special architectural and historic interest that the building's listed status seeks to preserve. I also acknowledge that the appeal proposals would provide enhanced living conditions for existing and future occupiers. They would enable the property to evolve to accommodate modern living and help to secure its future. However, I have limited substantive evidence to suggest that the building is at risk at present and any enlargement of the living accommodation needs to be done in a manner that would preserve the heritage significance of the listed building and the Conservation Area.
15. I have had particular regard to the significant support expressed for the appeals from local residents and acknowledge the benefits of having the property inhabited and the contribution to village life that would be a consequence. However, the appeal proposals, although reversible, could endure after the needs of the present occupiers expire. For all these reasons, those matters do not change the outcome of these appeals.

Public Benefits

16. In accordance with paragraph 193 of the National Planning Policy Framework (the Framework), I accord great weight to the conservation of a designated heritage asset. I consider that the harm to the significance of the listed building and Conservation Area would, together, be less than substantial, at the lower end of that spectrum. This is a matter to which I attach considerable importance and weight. However, in this case, no public benefits, as identified

in paragraph 196 of the Framework, are before me, which would outweigh that harm.

Conclusion

17. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Brian Jezeph BA DipTP MRTPI FRICS	Planning agent
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Huw Thomas BSc (Hons) Dip Arch AA Dip (conservation)	Architect
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Mr Dan Day-Robinson	Appellant
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Ms Lou Lou Stirrup	Appellant
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FOR THE AUTHORITY

Ms Sarah Tose BSc MSc MRTPI	Principal Planning Officer the Authority
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Mr Stephen Appleby	The Authority
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INTERESTED PERSONS:

Councillor Christopher Langford MRICS	Itchen Valley Parish Council
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Ms Judith Thomas	Local resident
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Mr Patrick Appleby	Itchen Valley Parish
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Mr Michael Lane	Local resident
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DOCUMENTS HANDED IN AT THE HEARING

Doc 1	Petition handed in by Judith Thomas in support of the appeals
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Doc 2	Statement of Cllr Christopher Langford Itchen Valley Parish Council
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Doc 3	Revised agreed list of planning conditions
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