



Appeal Decision

Site visit made on 21 October 2020

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/Y9507/D/20/3251074

Crossgate House, Rackham Road, Amberley BN18 9NT

- 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 Fred Bacon against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/00386/HOUS, dated 27 January 2020, was refused by notice dated 26 March 2020.
 - The development proposed is demolition of existing single story extension to west of main house, porch and rear single storey lean-to, and construction of two storey extension together with replacement roof to double garage, new garage door and replacement decked area to rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues of this appeal are:
 - whether the existing building amounts to a non-designated heritage asset,
 - if it is, whether the harm arising from its alteration would be outweighed by other considerations; and
 - the effect on the character and appearance of the host building and local area, which is within the South Downs National Park (SDNP).
 - the effect on designated ancient woodland

Reasons

Whether a non-designated heritage asset

3. The National Planning Policy Framework (The Framework) sets out that heritage assets, including buildings of local historic value are an "irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations". Crossgate House is not statutorily listed or located within a conservation area and therefore does not have status as a designated heritage asset.

4. The South Downs National Park Authority (the Authority) identified and referred to the building as a non-designated heritage asset at the time of assessing the application that is the subject of this appeal. The Framework and Planning Practice Guidance (PPG) set out that planning authorities should identify non-designated heritage assets. PPG states that "It is important that all non-designated heritage assets are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets"¹. It also states that "In some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications". The formal identification of the existing building as a non-designated heritage asset is not therefore a necessary requirement for it to hold this status.
5. Crossgate House is a detached white rendered two storey house, of strong symmetrical appearance with a central entrance porch and prominent chimney stacks at either end of a slated hipped roof. The house has a single storey side annex, the far end of which incorporates a two-door double garage. The Authority and the appellant believe the house to be of around the mid 19th Century and is of restrained and elegant appearance, which, with the side annex has a strong rural character within the context of the local area and SDNP. In their appeal statement the appellant has stated that they do not believe that the house should be considered a non-designated heritage asset, as its age should not automatically lead to that conclusion and that, although pleasant and simple in form, the house is similar to many other properties in the vicinity and does not have any particular significance within the local or wider setting
6. Whilst I agree that the age of the house should not lead to automatic consideration as a non-designated heritage asset, my findings are that the building has sufficient heritage significance to warrant status as a non-designated heritage asset. Its significance derives from the character and appearance of the building, its prominent siting and significance in views of the linear development of houses along Rackham Road and the SDNP.
7. The Framework states at paragraph 197, "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

Planning balance

8. The proposal involves the partial demolition and extension of the existing building and so the scale of the harm to the asset would be less than substantial. Paragraph 126 of the Framework states that local planning authorities "should recognise assets are an irreplaceable resource and conserve them in a manner appropriate to their significance". The significance of the existing building relates to its appearance and siting.
9. Paragraphs 131 of the Framework relates to designated and to non-designated heritage assets and states "In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing

¹ Planning Practice Guidance Paragraph: 039 Reference ID: 18a-039-20140306

the significance of heritage assets and putting them to viable uses consistent with their conservation". The proposal would result in the loss of the symmetrical appearance of the main part of the house and the total loss of the porch and most of the single storey side annex, all attributes forming much of the significance of the heritage asset. The harm arising from this loss, although less than substantial, therefore, attracts significant weight in the planning balance.

10. The appellant has not identified any benefits of the proposal that are considerations to which any significant weight can be ascribed that would outweigh the harm to the significance of the non-designated heritage asset arising from its partial demolition and alteration. There is also no evidence before me to demonstrate that it would not be possible to bring forth a scheme that retains the elements of existing building that contribute most to its significance, particularly the symmetrical form of the main house that most defines its present character and which is widely seen and appreciated in the context of this part of the SDNP.
11. Both the appellant and the Authority indicate that the proposal would satisfy the requirements for sustainable development set out in paragraph 7 of the Framework. Whilst there would be economic and private benefits arising from the proposal, it would not be in accordance with the environmental role in that it would not protect or enhance the historic environment. Moreover, there would be conflict with the provisions of the Framework taken as a whole.

Character and appearance

12. The main element of the proposal is a timber clad two storey contemporary extension, with large windows and glazed doors and an anodised metal roof in an asymmetrical hipped form, connecting to Crossgate House via a flat roofed two storey glazed linking element. This would replace most of the existing subservient single storey side annex and include the removal of the chimneystack adjacent to the glazed link. Other alterations include the replacement of the front porch, a hipped roof and single door to the double garage, removal of a small rear lean-to extension and replacement and slight extension of the rear decking structure. The main part of the proposed extension would sit further forward than the existing annex and would be only slightly set back from the front elevation of the main house. The asymmetrical roof of the proposed extension would be slightly below the level of the main house, but of similar height to the eaves. This would result in a significant change to the symmetrical appearance of the existing house and an uncomfortable visual relationship with the proposed extension, having the appearance of a contrasting pair of semi-detached houses and would present a confused appearance to the detached dwelling.
13. The appellant has suggested that to maintain more of the symmetrical appearance of Crossgate House a condition could be imposed on any approval that requires that the chimneystack that is proposed to be removed is retained. However, I do not regard this as a minor change or one that would, on its own, make this appeal allowable. I have therefore considered the appeal on the evidence submitted and the proposal on its own merits.
14. The appellant has drawn my attention to two nearby contemporary dwellings in Rackham Road, both of which have a strong, although differing, modernist aesthetic. Both these dwellings are substantial, detached and, in themselves, of

clear and coherent design, responding well to their context and demonstrate that modern buildings can be successfully located in rural settings. As such I do not find that they are appropriate exemplars for the type, scale and design of the proposed extension and alterations. I have therefore afforded them little weight in my considerations.

15. Due to the disproportionate scale, asymmetrical roof form, materials and fenestration of the proposed extension it would appear overly dominant and unsympathetic to the main house. The replacement porch would be over scaled compared to the existing and the replacement roof and single door to the double garage would add to the loss of the character and appearance of the existing building, as a well-mannered symmetrical rural house. This would result in Crossgate House detracting from views along Rackham Road and the SDNP and would be detrimental to the character and appearance of the local area and this part of the SDNP.

Designated ancient woodland

16. To the rear of Crossgate House is an area of designated ancient woodland, part of which is below the existing decking and into which the uprights are inserted into the ground for structural support. The proposal to replace and extend the existing decking structure appears to mainly be utilising these existing structural support points with some extra additional structural supports required for the extended area.
17. The appellant argues that the impact of the proposal would be negligible with regard to any detriment to the designated ancient woodland, however the Authority is of the view that it would likely result in only potentially modest detriment and I see no reason to demur from this conclusion. However, in the absence of an arboricultural and ecological assessment, there is nothing before me to demonstrate the actual impact of the proposal on the ancient woodland as an irreplaceable habitat. Likewise, there is nothing before me that demonstrates any wholly exceptional reasons to allow the proposal or that a suitable compensation strategy would be in place.
18. The appellant has suggested that a suitable pre-commencement condition requiring an arboricultural and ecological assessment of the proposal to be submitted to the authority for approval. However, given the integral nature of the decking area to the functioning of Crossgate House, especially its rear access, this is not a matter for which a condition of this type would be appropriate. I have considered the appeal on the evidence submitted and the proposal on its own merits and in accordance with paragraph 175C of the Framework and find that the proposal would result in modest harm to the designated ancient woodland and there are no wholly exceptional reasons to allow the proposal or a suitable compensation strategy in place.
19. The proposal would thereby be in conflict with policies SD 5, SD 9, SD 12 and SD 31 the South Downs Local Plan (2019) that require new development to be of high quality design that integrates with its host building and the wider area and enhances the historic environment, including through the safeguarding of non-designated heritage assets, and to conserve and enhance biodiversity and geodiversity. Similarly, the proposal would not be in accordance with paragraph 58 of the Framework that requires developments to respond to local character and to reflect the identity of local surroundings, and paragraph 175(c) of the Framework that requires that development that results in the loss or

deterioration of irreplaceable habitats, including ancient woodland, should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Conclusion

20. For the above reasons, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR