



Appeal Decision

Site visit made on 12 October 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2020

Appeal Ref: APP/Y9507/D/20/3246711

1 Manor Farm Barns, East Dean Lane, East Dean PO18 0JA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr C Jackson against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/01956/HOUS, dated 19 April 2019, was refused by notice dated 5 December 2019.
 - The development proposed is described as 'proposed side extension, relocation of 1 no. heritage style roof light, 2 no. new conservation type roof lights and 1 no. new painted timber double glazed window on west elevation'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development provided on the application form has been amended in subsequent documents. I have adopted the description of development as detailed within the appeal form, as it accurately and concisely reflects the proposal before me.

Main Issues

3. The main issues are the effect of the proposed development on (1) the character and appearance of Manor Farm Barns, the East Dean Conservation Area and wider rural landscape of the South Downs National Park and (2) the Dark Night Skies.

Reasons

Character and appearance

4. The appeal site comprises a residential property which forms part of Manor Farm Barns, a former dairy converted into eight dwellings in 2011. Manor Farm Barns lies on the western edge of the East Dean Conservation Area, which draws much of its special interest from its rich collection of attractive buildings set in a rural setting. The appellant's property is widely visible across the open fields which are immediately adjacent to the site, and features prominently in the surrounding landscape.
5. The decision¹ to grant planning permission for the change of use to the former dairy to residential accommodation was subject to a number of conditions. In

¹ Local Planning Authority Reference 07/04257/FUL).

particular, condition 21 required the developer to submit details showing refuse and cycle storage for each dwellinghouse, but unit 1 does not appear to benefit from such storage. This is not disputed by the Authority. However, and whilst I have sympathy with the appellant, who feels aggrieved by the lack of compliance of the original development with condition 21, this matter does not fall within the scope of the appeal before me.

6. Nevertheless, I understand that this prompted the appellant to seek planning permission for the erection of a single storey extension, which would be used for storage purposes. The design of the proposal takes its inspiration from the extension to unit 8, which is visible when entering the Manor Farm Barns development. It is also of note that there is a small extension/outbuilding nestled against the western wall of unit 2.
7. Although the design of the proposed extension is not objectionable in isolation, its footprint, together with its overall massing and height, would cumulatively be larger than other examples found within the complex. Rather than balancing against the western wall of unit 2, I am concerned that the proposed addition would, by reason of its scale and within such a sensitive context, appear unduly prominent. As a result, it would harmfully erode the intrinsic agricultural character and appearance of the host building and the East Dean Conservation Area, and in turn lead to an urbanisation of the plot. The proposal would also fail to conserve and enhance the surrounding landscape and scenic beauty of the National Park, to which I ascribe great weight.
8. The Authority did not raise concerns in respect of the formation of an additional window, but consider that the two proposed rooflights would constitute overly domestic additions to the building, which would incrementally erode its simple agricultural character. However, despite their domestic appearance, the new rooflights, which would be of a conservation style and flush with the slope of the roof. They would remain modest in scale and discreet within the roof plane, and would not thus compromise the agricultural character of the appeal building.
9. The Authority consider that the appellant's property is a non-designated heritage asset, although this has not been substantiated by detailed evidence, notably to show how it was identified as such. This is undoubtedly an attractive building, but as shown within the appellant's submissions, it has been significantly rebuilt as part of the conversion works of the former dairy, and I am therefore not certain that, in the absence of further evidence to the contrary, the building can be regarded as a non-designated heritage asset.
10. Notwithstanding the above, the proposed extension would nevertheless cause less than substantial harm to the East Dean Conservation Area, albeit at the lower end of the spectrum. In such circumstances, paragraph 196 of the National Planning Policy Framework (the Framework) advises that great weight should be afforded to the conservation of designated heritage assets and requires the identified harm to be weighed against the public benefits of the proposal. Whilst it is accepted that the appeal scheme could assist with reducing the domestic paraphernalia within the site, the harm which would be caused by the development would not be outweighed by the limited benefit derived from the proposal.
11. Given the above, the proposed development would fail to preserve and enhance the character and appearance of the host property and the East Dean

Conservation Area, as well as the landscape and scenic beauty of the South Downs National Park. It would therefore conflict with Policies SD1, SD5, SD15 and SD31 of the South Downs Local Plan 2019 which, amongst other things, seek to ensure that development proposals conserve and enhance the landscape character and cultural heritage of the area. For the same reasons, the development would also be contrary to Sections 12 and 16 of the Framework.

Dark Night Skies

12. The appeal site lies within the intrinsic zone of darkness of the Dark Night Skies Reserve of the South Downs National Park, immediately outside of the Dark Sky Core, which is the darkest part of the reserve. Rooflights spill light directly upward into the open night sky and surrounding landscape. The proposed openings, which would face towards the adjacent countryside, could therefore erode the character of the Dark Night Skies Reserve.
13. Whilst the appellant suggests that this issue could be satisfactorily addressed by condition, I have been presented with limited information to demonstrate what form mitigation measures would take in this particular case, or whether they would be achievable. There is no guarantee that the rooms would only be used occasionally, and whilst blinds could be installed, this would be very difficult for the Authority to enforce. In the absence of further evidence, I am not certain that this issue could be satisfactorily addressed by the imposition of a condition and a precautionary approach is therefore preferable in this instance.
14. For these reasons, I conclude that the proposed development does not demonstrate adequate mitigation in relation to light emissions and could therefore have an adverse effect upon Dark Night Skies. The appeal scheme would therefore not accord with LP Policy SD8 which, amongst other things, requires development proposals to conserve and enhance the intrinsic quality of dark night skies and the integrity of the Dark Sky Core.

Other Matters

15. The appeal site lies within the setting of Manor Farm House, a Grade II listed building. No concerns have been raised by the Authority regarding the effect of the appeal scheme on the setting of this designated heritage asset. By reason of the degree of separation and existing landscaping between the two adjacent sites, there are no reasons for me to take an alternative view. I am therefore satisfied that the proposed development would not harm the setting of Manor Farm House.

Conclusion

16. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal is dismissed.

S Edwards

INSPECTOR