
Appeal Decision

Site visit made on 30 April 2021

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021

Appeal Ref: APP/D3830/W/20/3271288

Heatherwood West, Sandy Lane, Crawley Down RH10 4HR

- 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 Ian Hannah against the decision of Mid Sussex District Council.
 - The application Ref DM/19/4351, dated 3 October 2019, was refused by notice dated 26 June 2020.
 - The development proposed is "retrospective erection of replacement storage shed for maintenance equipment".
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Decision

1. The appeal is allowed and planning permission is granted for retrospective erection of replacement storage shed, for maintenance equipment, at Heatherwood West, Sandy Lane, Crawley Down RH10 4HR in accordance with the terms of application Ref DM/19/4351, dated 3 October 2019.

Main Issue

2. The main issue is the effect of the development on the significance and setting of the listed building.

Preliminary Matter

3. I observed during my site visit that the proposed development has been substantially completed thus allowing me a fuller appreciation of the effect on the Grade II listed building.

Reasons

4. The appeal site comprises the northern part of the large, detached Grade II listed building (formerly known as Oaklawn), its curtilage and part of the adjacent field. I note that an extension has been added to the north elevation of Heatherwood West and that there are various timber structures within the curtilage.
5. The storage shed, located on the edge on the curtilage within a wooded corner of the field, is a single storey timber structure measuring 4.2m wide by 4.8m long. The appellant states that the storage shed is a replacement for another, now removed and in different position.

6. The storage shed is located on the periphery of the field and not located where it may alter the appearance of openness of the field. Notwithstanding this, to my mind this type and size of shed is not uncommon in a countryside setting.
7. The storage shed is not visible from the public realm nor is the north elevation of the listed building. The storage shed can be seen from the adjacent field, as can the other aforementioned structures. Taken on its own the storage shed is diminutive in scale and relatively inconsequential. Even taken cumulatively with the others, as these are: not clustered together, not large, and domestic in scale/purpose, views remain relatively unchanged due to the substantive nature of the listed building.
8. Views of the storage shed from the listed building are limited, both due to tree/vegetation coverage and the distance away. The use of timber is appropriate having regard to the semi-rural, wooded setting and the materials found on the exterior of the listed building.
9. Having regard to this and, as the storage shed diminutive in scale and located some distance away, in a wooded corner, I consider that the appeal development does not alter the character and appearance of the listed building, thus not causing harm.
10. Therefore, the development complies with policies DP12, DP26 and DP34 of the Mid Sussex District Plan 2014-2031 (2018). Among other things, these require a high standard of design that respects local context, including listed buildings, and maintains or improves the rural character of the countryside.
11. The statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as is reflected in the NPPF at paragraph 193, states that special regard is to be given to the asset's preservation irrespective of the degree of harm. Having regard to the above, I conclude the development does not cause harm, and preserves the significance and setting of the listed building.

Other Matters

12. Third parties have raised issues of: design; setting/appearance/outlook from listed building; lack of consultation; vehicular access; disturbance to wildlife; ownership; previous planning application and the question of accuracy of statements made in application documents.
13. I have dealt with the first two issues above. The Council, as far as I am aware, has publicised the application in the usual manner, thus allowing for third parties to comment. At the time of my visit, no vehicular access to the storage shed had been created. There is no evidence before me detailing the existence of wildlife and an assessment of any impacts, as a consequence of the development.
14. Ownership, including title burdens/restrictions, is not a material planning consideration. The planning history is included in the Officer's report, and I have considered this. Planning decisions are taken on individual merit and I have weighed up all the evidence before me. Having taken all these matters into account, none change my conclusions on the main issue.

Conclusion

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Euan FS Pearson

INSPECTOR