



Appeal Decisions

Site visit made on 12 June 2023

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th June 2023

Appeal A Ref: APP/D3830/W/22/3306319

Curtains Cottage, The Street, Albourne, Hassocks BN6 9DJ

- 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 Rob Bannon against the decision of Mid Sussex District Council.
 - The application Ref DM/22/1526, dated 12 May 2022, was refused by notice dated 17 August 2022.
 - The development proposed is a rear two storey extension and single storey side extension.
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Appeal B Ref: APP/D3830/Y/22/3306323

Curtains Cottage, The Street, Albourne, Hassocks BN6 9DJ

- The appeal is made under section 20 of the (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Rob Bannon against Mid Sussex District Council.
 - The application Ref DM/22/1527, dated 12 May 2022, was refused by notice dated 17 August 2022.
 - The works proposed are a rear two storey extension and single storey side extension.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The planning and listed building appeals relate to the same scheme. The remits of the legislative regimes dealing with these aspects are different. However, to avoid repetition I have dealt with both appeals together unless otherwise noted in this decision letter.
4. The Council has published a draft Local Plan, which contains policies relating to heritage assets. The Plan is still at a very early stage in its development and may yet change. Consequently, and as accepted by the Council, I consider that it carries no material weight at the present time.

Main Issues

5. The main issues are whether:
 - The proposed development and works would preserve the Grade II listed building or any features of special architectural and historic interest that it possesses

- The proposed development and works would preserve or enhance the character and appearance of the Albourne Conservation Area.

Reasons

Listed building

6. Curtains Cottage, (addressed simply as 'Curtains' in the list description) is a Grade II listed building¹ standing in a raised position on the east side of The Street. The building itself is T-shaped, with the west wing probably C17, the south wing C18 and the north wing modern, dating from the 1960's. Originally thatched, the steep pitched roof is now covered with slate, with white painted brickwork, render and some first floor weatherboarding. A small section of timber framing is exposed on the rear of the southern wing. In the past the west and south wings have been used as separate cottages, although now the building consists of a single dwellinghouse.
7. The significance and special interest of the listed building lies in its simple plan form, historic fabric, and vernacular architectural features including its roof form and fenestration. Although changed and extended during its lifetime, it retains the appearance and proportions of a relatively modest cottage in a rural village setting. The northern wing, while modern, reflects the height, width and roof form of the older parts of the building. That integration is aided by the use of similar external materials and fenestration.
8. The wide span of the two storey rear extension, necessitating an awkward crown roof in order to keep its height to that of the existing building, would be out of place with the narrower spans and ridged roofs of the west, south and north wings. The scale of the extension and the disparate design of the roof shape would be apparent from the rear of the building, because it would be seen from more than one direction, and also from an elevated position because of the raised garden level at the rear of the plot.
9. Furthermore, some of its detailed design would also sit uncomfortably with the more traditional appearance of the cottage. The wide, overhanging eaves of the extension would be at odds with the width of eaves used on the existing building. The use of aluminium, double glazed frames on the rear elevation would introduce discordant materials. The double doors on the rear ground and first floors would have a greater proportion of glazing to opening than the part solid doors and small window lights divided by glazing bars found in the existing building. The frameless glazed first floor balcony would likewise introduce a modern element at odds with the vernacular architectural features of the cottage. The scale of the two storey extension and the design details highlighted above mean that it would compete with and dominate view of the listed building from the rear of the plot.
10. On its own the single storey lean to extension would be more modest in terms of its height and size when compared to the existing building. However, when taken together with the proposed two storey rear extension and existing 1960s northern extension, the scale of those combined extensions would compete with the size of the historically significant west and south wings, thereby changing the relationship between new and old from one of subservient addition to the historic structure to one where the new parts of the building

¹ List entry number: 1286715

would be dominant. That would distract attention away from the historic elements of the listed building, to the detriment of its significance and special interest.

11. A considerable amount of material would be lost with the removal of the rear wall of the northern part of the building, although based on the evidence provided by the appellant that is part of the 1960's extension and would therefore not result in the loss of older historic fabric. Nevertheless, for the reasons I have set out above, the scale, form and design of the extensions would harm the significance and special interest of Curtains Cottage, thereby conflicting with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') which requires special regard to be had to preserving the architectural and historic interest of the grade II listed building. It would for the same reasons conflict with Policies DP26 and DP34 of the Mid Sussex District Plan 2014-2031 (the 'Local Plan'), which require development to be of high quality design that protects listed buildings and their settings.

Conservation area

12. The Albourne Conservation Area covers the southern end of The Street and the first part of Church Lane. The majority of the houses contained within it are individually listed for their special architectural or historic interest. Together they form a cluster of vernacular houses of varying ages and materials set in mature gardens along a winding country lane. I have been provided with little historic background to the conservation area by either main party although from what I have seen and read, it comprises the oldest part of the village other than for the church which occupies an isolated position some distance away.
13. Curtains Cottage contributes positively to the character and appearance of the conservation area as one of the vernacular buildings fronting The Street. As noted by the appellant, the use of slate and white painted brickwork is unusual compared to the mainly unpainted brick and clay tiled roofs of its neighbours, although other aspects such as the timber frame, white painted render and weatherboarding are characteristic of the area, as is its form with single span bays and steep pitched roof. All those elements add variety and character to what is a complementary grouping of historic buildings.
14. Public views of the proposal would be limited to the single storey side extension and the flank elevation of the two storey rear extension. I consider that the scale of the cumulative extensions would nevertheless still be apparent. The perceived width of the north wing would also be lost by its projection backwards without any visual break between existing and new build. Although such views would be restricted, the scale of the extensions, when compared to the historic wings, would appear dominant.
15. Moreover, given my findings above in relation to the special interest and significance of the listed building, the adverse effect of the proposal would also diminish the contribution of the appeal building to the character, appearance and significance of the conservation area. It would therefore conflict with section 72(1) of the Act which requires development to preserve or enhance the character or appearance of the conservation area. For the same reasons it would conflict with Policies DP26 and DP35 of the Local Plan, which require development to be well designed and to conserve or enhance the special

character of conservation areas and the range of activities which contribute towards them.

Other Matters

16. The appellant has drawn attention to a number of proposals for two storey extensions to listed buildings in the district where listed building consent has been granted.
17. However, the issue of whether a particular extension would cause harm to the significance of the listed building, and if so whether there are any public benefits that should be weighed in the balance, are matters of judgement that turn on the specific facts of each case. Other than serving to demonstrate that the Council is not opposed in principle to the extension of listed buildings, I do not consider that these other examples can be extrapolated to the proposal subject of these appeals, which must turn on an assessment of their own individual facts. I therefore give the examples of other extensions limited weight in these appeals.

Conclusion

18. In respect of both main issues, the harm that would be caused would be less than substantial. In such circumstances, paragraph 202 of the National Planning Policy Framework (the 'Framework') advises that the harm to the heritage assets should be weighed against the public benefits of the proposal including, in the case of the listed building, securing its optimum viable use.
19. I understand the benefits to the appellant of having an enlarged living space but that is essentially a private rather than a public benefit. Furthermore, even though improvements to the thermal efficiency of the house can reasonably be considered public benefits it has not been demonstrated that such improvements could not be achieved through alternative means, so avoiding the harm identified to the designated heritage assets. Whilst these matters may have some impact on the use of the building, I have been given no indication that its viable use as a single dwelling is seriously threatened. As such I consider that limited weight can be given to the public benefits.
20. Even though I have found that the harm to the designated heritage assets is less than substantial, it is not to be treated as a less than substantial objection. I consider that the limited weight of the public benefits would not justify or outweigh the great weight to be attributed to the harm to the heritage assets that I have identified. It follows that the proposal would not comply with paragraph 202 of the Framework. I have also found that the development and works would be contrary to Policies DP26, DP34 and DP35 of the Local Plan. As such, the proposal would be contrary to the development plan when taken as a whole.
21. For the above reasons, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Guy Davies

INSPECTOR