



Appeal Decision

Site visit made on 24 January 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09.02.2024

Appeal Ref: APP/C1435/W/23/3322325

The Shearing Barn, Chiddingly Place, Chiddingly, Lewes, BN8 6HE

- 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 Steve Barter against the decision of Wealden District Council.
 - The application Ref WD/2022/1969/F, dated 28 July 2022, was refused by notice dated 27 February 2023.
 - The development proposed is described as alterations and additions to Cart Barn.
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Decision

1. The appeal is allowed and planning permission and listed building consent are granted for alterations and additions to Cart Barn, at The Shearing Barn, Chiddingly Place, Chiddingly, Lewes, BN8 6HE, in accordance with the terms of application Ref WD/2022/1969/F, dated 28 July 2022 and the plans submitted with it, subject to the following conditions:
 - 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DRG NO. 2 Rev D, dated 16 February 2023 and DRG NO.3 Rev C, dated 9 August 2022.
 - 3) The materials and finishes to be used in the construction of all external surfaces of the development hereby permitted shall accord with those set out in the application form and as shown on drawing DRG NO. 2 Rev D.

Preliminary matters

2. Since the appeal application was refused the National Planning Policy Framework 2021 has been replaced. Within the current National Planning Policy Framework December 2023 (Framework) paragraphs 130 and 202 of the Framework 2021 have been renumbered 135 and 208, although their content is unchanged. For the avoidance of any doubt, I confirm that in this decision I have referred to the new numbering.
3. During the processing of the appeal planning application substitute drawings were submitted, which included variations to the proposed front gable opening. The planning application was determined on this basis. I confirm that this decision similarly relates to the revised scheme shown on drawing No.2 Rev.D.

Main Issue

4. The main issue is the effect of the proposal on the character, appearance and significance of the setting to The Shearing Barn which is grade II listed and Chiddingly Conservation Area (CCA).

Reasons

5. The appeal site is situated in the rural area and within the Low Weald Landscape Character Area. It is located at the northwestern end of the CCA, which is characterised by small loose knit linear historic rural settlement which primarily fronts onto Highlands Lane. Highlands Lane comprises a narrow rural lane with grass verges and no pavements or street lights. The CCA backs onto slightly undulating open pasture land that is enclosed by traditional hedges and trees, which affords views over parts of the conservation area and the open countryside.
6. The appeal property forms part of an enclave of development that comprises the remains of Chiddingly Place, which comprised a double courtyard mansion built in the 16th century. The east parlour and central wing have survived and are grade II and grade II* listed respectively. The Granary also comprises a building associated with the mansion and is similarly grade II listed.
7. As advised by the Council's heritage officer, Shearing Barn was built in the 16th century and at that time comprised a timber framed and clad farm building. In the around c.1800 most of the walls of the building were rebuilt, using bricks salvaged from the demolition of part of the mansion. It is located to the southwest of the other mansion buildings, where it occupies a spacious plot with gardens on three sides.
8. These features contribute to the character, appearance and significance of the setting to the listed buildings and the CCA as a whole.
9. There is an outbuilding to the southwest of The Shearing Barn and the appeal building is sited to the front of the barn, close to the boundary with the pasture land beyond. The appeal building sits at a slightly lower level to the Shearing Barn and is separated from the dwelling by a large open gravelled area that is used for parking and turning. There is also an outbuilding close to the northern boundary of the appeal site, within the curtilage to The Granary. These outbuildings are all designed to appear as traditional rural agricultural buildings and are physically separate and ancillary in form and appearance to the host listed buildings.
10. The appeal building comprises a three bay cart shed building which follows the strong horizontal lines of Shearing Barn and the group of buildings. It has horizontal timber clad walls under a pitched plain tiled roof, which has gable ends to the side elevations. On one side of the building is an external timber staircase and on the other is a single storey projection with a mono-pitched roof. To the side of this extension is a parking space. Whilst not a small structure the appeal building is modest in size and form when compared to the Shearing Barn and the other listed buildings, which sit at a higher level to the appeal building. This coupled with its siting on the outside of the grounds of heritage buildings adds to its subservience.
11. Within the front garden area and in the outlook from the central front opening of Shearing Barn, the appeal building appears physically separate, modest and respectful of the host building and the adjacent listed and other buildings.

The appeal building also partially screens the large unattractive and utilitarian farm building located within the immediately adjacent field. In the immediate approach to Shearing Barn the appeal building is partially screened by trees and is located to one side of the entrance, where it does not intrude into the open views towards Shearing Barn from the property entrance.

12. The appeal building is set back from and largely screened from the street scene by the existing group of buildings. Where it can be glimpsed it is at a distance from the road and is partially screened by trees, the boundary hedge and the large farm building within the adjacent field. From here it is seen as a modest traditionally designed rural building within the setting of the more dominant Shearing Barn. From the public footpath within the field to the east, the appeal building is fully screened by the farm building and boundary planting from the south and southeast. From the north/northeast it is partially screened by trees, hedges and is insignificant within the wider view of Shearing Barn and the other former mansion buildings.
13. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB&CA Act) requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance.
14. Paragraphs 205, 206 & 208 of the Framework state that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm to the significance of a designated heritage asset from development within its setting requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
15. Together Spatial Planning Objective SPO2 of the Wealden Core Strategy Local Plan 2013 (CS) and policy EN19 of the Wealden Local Plan 1998 (LP) seek to protect the character, appearance and intrinsic quality of the historic environment. Proposals within conservation areas should preserve or enhance their existing character, scale and visual amenity and respect the character of existing buildings. They also promote local distinctiveness through good design.
16. LP Policies EN19, EN27 & DC19 seek to ensure that development respects the character of adjoining development and is not intrusive in the landscape. Outbuildings should be of an appropriate size and character relative to the original dwelling and should not adversely change the character of the existing building, or group of buildings.
17. Amongst other things paragraph 135 of the Framework requires proposals to be sympathetic to local character and history, including the surrounding built environment and landscape. Chapter 12 Part 10 of the Wealden Design Guide 2008 (WDG), advises that the alteration or extension of a building within the curtilage of a listed building should have no adverse impact on its setting.
18. With the proposal the building would be extended to the side, front and rear of the lean-to side addition and the adjacent end bay of the cart shed. A gable roof would be introduced to the front and rear of the extended end bay and this would slope into a catslide roof over the existing lean-to area. Whilst deeper and wider, the design would effectively reflect that of the adjacent outbuilding within the curtilage of The Granary. It would also reflect the use of gables, catslide roofs and 90° projecting wings within the group as a whole.

19. The proposed extension would be visible from within the front garden to Shearing Barn and its immediate setting. However, due to the open space between Shearing Barn and the appeal building and its siting in the corner of the garden, the proposed extension would not detract from or otherwise harm the spacious setting of the listed building, or the more enclosed and intensive setting of the adjacent historic group of buildings.
20. Along a very short stretch of the public footpath and from beyond the junction of Highlands Lane and Parsonage Lane, the roof of the proposed extension would obscure a small section of the front wall of Shearing Barn. However, low roof protrusions and a strong sense of enclosure is evident throughout this group of listed properties.
21. Overall, I find that the proposal and the slight increased sense of enclosure resulting from the proposal would not look out of place or harm the setting to Shearing Barn or the group as a whole. Also, the appeal building is situated at a lower level and on the edge of this cluster of historic buildings, where it would not impact on their physical and historic relationships.
22. The proposed extension would provide a slightly greater visual barrier between the group of buildings and the modern agricultural building within the adjacent field, whilst not obscuring views over the surrounding pastureland and towards the heart of the settlement. Finally, whilst it is a matter to which I give little weight, the proposal would reduce the need for external parking and storage, thus resulting in less clutter at the front of the property.
23. For these reasons, although the proposal would introduce a small change to the setting of Shearing Barn and the group of historic buildings, it would preserve the character and appearance of their settings and would not cause harm to the significance of their settings. Similarly, the proposal would preserve the character and appearance of the CCA and would not detract from its significance. Having reached this conclusion, there is no need to consider further the test set out in paragraph 208 of the Framework.
24. Finally, the council has suggested the imposition of conditions relating to adherence to the submitted drawings, external materials and that the construction of the proposal should accord with the details set out within the application documentation. I agree these conditions are necessary to ensure the extension respects the host building and in the interests of certainty. I have however amended the suggested wording slightly in the interests of precision and enforceability.
25. I conclude that the proposal would preserve the character and appearance of the CCA, the setting to Shearing Barn and the adjacent listed buildings and would not result in harm to their significance. Accordingly, the proposal complies with CS Policies SPO2, LP Policies EN19, EN27, & DC19, WDG Chapter 12 Part 10 and paragraphs 135, 205, 206 and 208 of the Framework.

Elizabeth Lawrence

INSPECTOR