



Appeal Decision

Site visit made on 15 February 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 8 March 2024

Appeal Ref: APP/D3830/D/23/3335645

Woodbarton, Common Lane, Ditchling, East Sussex BN6 8TP

- 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 & Mrs Duddridge against the decision of Mid Sussex District Council.
 - The application Ref: DM/23/2072 dated 7 August 2023, was refused by notice dated 19 October 2023.
 - The development proposed is second storey extension and alteration to roof to existing side extension to accommodate additional bedroom.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the existing property and on the local area, including the setting of the neighbouring listed building, Hopkins Crank.

Reasons

4. The appeal property is an attractive, two storey detached dwelling with a half hipped roof, with a single storey side extension, also with a half hipped roof set on a large plot. It is set some distance back from Common Road, approached by a private drive and within a rural setting. The private drive off Common Road passes Hopkins Crank, a Grade II listed building. The drive also serves Little Crank and Cranks Barn close to Hopkins Crank, as well as Woodbarton Cottage to the north of Woodbarton.
5. The proposal seeks to add a first floor addition to the single storey addition, under a half hipped roof. There would be two dormer windows in the roof on the south elevation and a pergola added to that elevation at ground floor level.

6. Policy DP26 of the Mid Sussex District Plan (District Plan) seeks, amongst other matters for all new development to be of high quality design and this is further addressed in the Mid Sussex Design Guide Supplementary Planning Document (SPD) including at Principles DG49 and DG50. Principles DG49 and DG50 emphasise, amongst other matters, that extensions should respond to the design of the original dwelling.
7. The increased height and massing of the extension would result in a very uncomfortable juxtaposition with the scale and proportions of the main dwelling, particularly in terms of the eaves levels and alignment of fenestration. The proposed dormers on the south side would accentuate the bulk and massing at roof level and would not relate well to the fenestration in the existing dwelling, particularly on the southern side. Although the ridge height to the extension would remain below the ridge height to the main house, the bulky massing of the extension would not relate well to the proportions and scale of the existing dwelling. The existing extension is read as a subservient addition to the main dwelling and the proposed extension would result in an over dominant extension which would not relate sensitively to the main dwelling. It would materially harm its existing character and appearance.
8. Although the property is largely hidden from public views and my attention has not been drawn to public rights of ways that might pass close to the property, this finding does not outweigh the material harm I have concluded to the character and appearance of the property itself.
9. The Council contends that the property is a non-designated heritage asset by virtue of its historic associations with prominent artists associated with the Catholic Guild of St Jospeh and St Dominic, a Ditchling based arts and crafts community. I have been provided with a copy of the fairly recent assessment by Historic England which recommended that neither Woodbarton nor the adjoining property at Woodbarton Cottage were suitable for a recommendation for formal listing. However, I note that the assessment did refer to the *considerable local interest* of both buildings because of their association with the Guild.
10. I have not been informed whether the Council maintains a list of non-designated heritage assets and whether this building is on such a list, or the procedures that the Council has in place, if any, for buildings to be considered as non-designated heritage assets. The relevant guidance in the NPPG and by Historic England does recognise that non-designated heritage assets can be identified during the decision making process but I have no further information before me regarding the steps taken by the Council in this regard. However, in view of my finding above that the proposal would harm the character and appearance of the existing property, I do not consider it necessary to come to a formal view regarding its heritage status.
11. The property closer to Common Lane, Hopkins Crank is listed Grade II and is listed both for its historic and architectural interest, being the former home of Eric Gill, the sculptor and letter designer from 1917 to 1924. The association with Eric Gill adds to its significance together with its attractive appearance. Its setting relates to its rural location with a backdrop of trees and fields. Given the distance between the appeal property and proposal and the listed building, as well as the trees in between, there is very limited intervisibility between the two buildings. I am satisfied that there would be no harm to the setting of this

listed building; its setting would be preserved. The absence of harm to and the preserving of the setting of the listed building does not, however, add weight in support of the proposal; it is neutral in my assessment.

12. I therefore conclude that the proposal would not respect the character and appearance of the existing building. This would conflict with Policy DP26 of the District Plan, Principles DG49 and DG50 of the SPD and the Framework, and in particular Section 12, all of which amongst other matters, seek a high quality of design for development proposals and which respects the local context. The Council also referenced Policy DP34 of the Mid Sussex District Plan which relates to listed buildings and other heritage assets. In view of my findings above, this policy is not directly material.
13. My attention has been drawn to a Certificate of Lawful Use or Development (Proposed) from the Council under its Ref: DM/23/0819 dated 24 May 2023, which included a front porch, rear and side extension, rear dormer, window alterations, replacement garage, outbuilding and swimming pool. The Council certified that these works would be permitted development. The works would be focussed on the western and eastern side of the property together with a number of other alterations to the property, including a new porch on the southern elevation.
14. There is nothing before me to indicate whether the proposed works before me would be in addition or in place of some of all of the permitted development works. Although these works would be extensive and would result in a much larger dwelling than existing, they would not affect the relationship of the existing extension with the main dwelling. The existence of the Certificate of Lawful Use or Development (Proposed) does not therefore persuade me to a different view, in the particular circumstances of this case and the harm I have concluded under my main issue.
15. The Appellant has provided an appeal decision relating to a number of alternative redevelopment proposals in a different district under the Refs: APP/R3650/W/21/3266933; 19/3225899; 19/3242532; 19/3242615 and 20/3247524. One of the issues at that appeal was whether the existing building on the site was a non-designated heritage asset and the Inspector concluded that it was not. However, each proposal must be assessed on its individual merits and it is not clear to me what information was before that Inspector to enable him to reach the decision he reached. As set out above I am not satisfied that sufficient information is available to me in the case before me, to reach a decision on whether the existing building should be regarded a non-designated heritage asset, including with reference to the Council's internal procedures in this regard.

Conclusion

16. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR