
Appeal Decision

Site visit made on 12 March 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27.03.2024

Appeal Ref: APP/D3830/D/23/3334382

The Old Cottage, Whitemans Green, Cuckfield, West Sussex RH17 5DA

- 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 and Mrs Cockburn against the decision of Mid Sussex District Council.
 - The application Ref DM/23/0008, dated 23 December 2022, was refused by notice dated 15 September 2023.
 - The development proposed is retrospective approval for roller shutter doors to provide secure parking to an existing car barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the roller shutter doors that have been installed preserve or enhance the character or appearance of the Whitemans Green Conservation Area; and related to this, their effect on the setting of The Old Cottage, a Grade II listed building.

Reasons

3. The Whitemans Green Conservation Area lies in the north of the village of Cuckfield and is characterised by cottages set around a tree-lined green. The area includes a variety of buildings of different ages and architectural style, while the trees, hedges and green itself give the area a pleasant verdant character and appearance. There are several listed buildings within the conservation area, including the appeal property, which is a sixteenth century cottage of painted brick, plaster and weather-boarding. As such, the appeal property is a distinctive building that makes a positive contribution to the conservation area.
 4. The cart lodge is located to the rear of the cottage in the garden and therefore within the setting of the listed building. The outbuilding is of traditional design and appearance, with parking for two vehicles. With the roller shutter doors open, the building largely retains its traditional character and appearance, with only the surrounding timber frame for the doors visible. The staining of the frame has helped it integrate visually with the original building, although I agree with the Council's conservation officer that this element is somewhat
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- clumsy in that the frame cuts through the curved braces to either side of each opening.
5. The most significant effect, however, is with the doors closed, which results in a form of enclosure that is alien to the appearance of the building, in terms of design, colour and materials. Given that the appeal site comprises buildings of traditional design and appearance, with external materials reflecting this, the modern green metal shutters are an uncharacteristic and incongruous feature.
 6. I acknowledge that the outbuilding is shielded to some extent by the cottage in views down the driveway to the side. However, it is readily visible above the boundary wall to the front. While there is new planting above this wall, which once grown will limit views of the building, this cannot be guaranteed to endure in the long term. Moreover, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building or any of their curtilage structures can be gained.
 7. The appellants contend that the doors are used principally at night and that in any case views of the vehicles and domestic paraphernalia inside the building are less preferable. While I acknowledge these arguments, the open frontage reflects the traditional appearance and functionality of the cart lodge building and it has been found that the doors are harmful due to the contrast with the traditional appearance of the host building and listed cottage. Limiting the levels and times of useage cannot overcome the harm that results from the effects of the doors when they are in use.
 8. I accept that there are some limited examples of metal garage doors within the surrounding area, but these are not a prominent feature within the conservation area as a whole. Furthermore, these are more common on modern brick buildings and, therefore, are not comparable to the effects of the metal shutters on a building of traditional materials and appearance within the setting of a listed building.
 9. Therefore, for the above reasons, I find that the doors that have been installed fail to preserve the character and appearance of the Whitemans Green Conservation Area and the setting of The Old Cottage. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation¹. Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
 10. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal². The appellants indicate that the principal need for the shutters is for security. While I have had full regard to this, it is not a sufficient reason in terms of any public benefits to outweigh the effects of the doors, as found above.
 11. Therefore, for the above reasons, I conclude that the roller shutter doors do not preserve the character and appearance of the Whitemans Green Conservation Area or the setting of The Old Cottage. Consequently, the

¹ Paragraph 205.

² Paragraph 208.

proposal is contrary to Policies DP35 and DP36 of the Mid Sussex District Plan 2014-2031 (2018), concerning respectively the effect of development on conservation areas and on listed buildings, including their setting. It is also contrary to Policy CNP1 of the Cuckfield Neighbourhood Plan (2014), which includes the requirement for development to be sympathetic to heritage assets and their setting.

12. In reaching this conclusion I am particularly mindful of the statutory requirements for decision makers to have special regard to the desirability of preserving the setting of a listed building³; and that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area⁴.

Conclusion

13. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR

³ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

⁴ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.