



Appeal Decision

Site visit made on 28 January 2025

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/Y9507/D/24/3354150

Wassell Barn, Streels Lane, Ebernoe, West Sussex GU28 9LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Guy Goodwin against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/22/05296/HOUS.
 - The development proposed is: Proposed side extension.
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Decision

1. The appeal is allowed and planning permission is granted for proposed side extension at Wassell Barn, Streels Lane, Ebernoe, West Sussex GU28 9LD in accordance with the terms of the application, Ref SDNP/22/05296/HOUS, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: PL_E_00; PL_01_11 Rev A; PL_01_12 Rev A; PL_01_13 Rev A; PL_E_01; PL_E_02; PL_E_03; PL_P_01 Rev A; PL_P_04 Rev A; PL_P_10 Rev A; PL_01_14 Rev A.
 - 3) No development above ground level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.
 - 4) Before the development hereby permitted is brought into use the glazed link shall be fitted with electronically timed blackout blinds in accordance with the South Downs National Park Dark Skies Technical Advice Note April 2018 (or its equivalent if replaced) and shall be maintained in operational order thereafter.
 - 5) Before the development hereby permitted is brought into use, a bat box/or shelter shall be installed on the building facing a south/south westerly direction, positioned 3-5m above ground and a bird box shall be installed on the building and/or tree within the garden of the dwelling and thereafter they shall be retained. The design of the bat box/shelter and bird box shall be in accordance with the recommendations of the report by Ecology Co-op August 2002 submitted with the application.

Preliminary Matters

2. The appeal was made under the Householder Appeals Service. During my consideration of the appeal, it became clear that not all of the supporting documents to the application had been submitted by the Authority. I therefore sought the submission of all such documents, which were duly provided and confirmed by the main parties. In addition, there was some confusion regarding the copies of policies of the South Downs National Park Local Plan 2019 (SDLP) submitted to the appeal, such that it was not clear whether they were the current/adopted versions. Following clarification, I am satisfied that the Authority has determined the proposal on the adopted policies of the SDLP. Neither party raises any objection to the fact that I have relied upon the version of the SDLP available to view on the Authority's website.
3. On 12 December 2024, the National Planning Policy Framework (the Framework) was revised, with a further amendment made on 7 February 2025 which does not constitute a change to policy. The revisions do not have a material bearing on the matters at dispute between the parties in this case. I have therefore found it unnecessary to seek further comments as neither party would be prejudiced by my consideration of the revised Framework.
4. As the appeal site is within the South Downs National Park (NP), I have had regard to the Protected Landscapes Duty¹ which requires relevant authorities to seek to further the statutory purposes of a national park in exercising or performing any functions in relation to it. The NP's statutory purposes are i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and ii) to promote opportunities for the understanding and enjoyment of the special qualities of the NP by the public.

Main Issues

5. Wassell Barn is a non-designated heritage asset (NDHA). The appeal site is not within a defined settlement and in policy terms is located within the countryside. The main issues are the effect of the proposal upon:
 - the character and appearance of the area, including the effect upon the NDHA and its setting, and the landscape character of the NP; and
 - ecosystem services.

Reasons

Character and appearance

6. The evidence before me includes heritage statements and a dismissed appeal for a replacement dwelling scheme², which indicate that the significance of the NDHA stems in part from the fact that it is a timber framed tithe barn likely built in the 18th century. The building was converted to residential use in 1995, and the evidence indicates that the conversion and other previous works are not considered entirely sympathetic to its historic fabric. I find no reason to consider otherwise. The building is not nationally listed and thus its internal features are not statutorily protected, although an Article 4 direction protects it from demolition. As an isolated

¹ As per s245 of the Levelling-up and Regeneration Act 2023 enacted on 26 December 2023, which amends the statutory duty under the National Parks and Access to the Countryside Act 1949

² Appeal Ref: APP/Y9507/W/15/3003021

field barn within a managed landscape, the barn has a long-standing relationship with the landscape, and therefore the landscape setting of the barn is also part of its significance.

7. The building is timber clad, finished with clay tiles and has an 'L' shaped form. It comprises a taller main barn and a shorter wing projecting forward, which was once an open structure with timber posts, likely a former milking shed. The existing front door is located within the inner flank of the wing, overlooking the historic yard, which is bounded by walling with a wide field gate. While internal alterations have been made to sub-divide the internal space to include a mezzanine level in the main part, the original five bay form including the central wagon bay is still evident, with its large openings now glazed. The windows to the front, rear and easterly elevations of the barn generally have a strong vertical emphasis, and the horizontal timbers of the frame appear within view through these openings. Other windows are more evenly proportioned.
8. The property is accessed from the south via a track from the highway, with intervening land before a field gate. The barn is well set back from this gate, with a deep intervening space to include rough grassed areas and established hedgerows, including one of considerable length and height which runs along the westerly boundary of the appeal site. The land to the rear and easterly side of the building is largely laid to lawn, bounded by simple fencing with a rear patio area and ornamental borders near the barn. The land beyond is largely open towards the east and north, likely forming part of an historic field pattern. Consequently, the barn retains an isolated relationship with the wider landscape, but in accordance with its occupation as a dwelling, it has a degree of domestication within its immediate setting.
9. The proposed extension would be sited alongside the westerly flank of the building. This area presently serves as outdoor utility space with a small greenhouse and pathways, and some domestic paraphernalia, all well screened by the established hedgerow. Consequently, the siting of the proposed extension would be in a relatively enclosed and screened area which has a strong domestic character. The extension would be set back from the 'front' facing elevation of the wing, slightly forward of the 'front' facing elevation of the main barn, and slightly beyond its rear elevation. The extension would connect to the existing building by a frameless glazed link through the westerly flank of the former milking shed. This arrangement would not impact on the timber framed structure of the main part of the building and the timber cladding at this point is not part of the original historic fabric.
10. The evidence indicates that if an extension were proposed to the front or rear elevation, it would likely obscure the large openings that form part of the building's significance and its relationship to the wider landscape, and/or cause harm to the timber frame of the barn, including its horizontal timbers. An extension sited to the easterly elevation of the barn would likewise result in harm to the timber frame in the same manner and it would be highly visible within the open nature of the easterly part of the appeal site and the open land towards the north and east. An extension to the front elevation would also undermine the historic relationship with the yard. My own observations of both the inside and outside of the building are such that I find no reason to disagree with the appellant's evidence on this matter. Such alternative sitings would therefore undermine the significance of the barn in terms of both its historic fabric and the relationship to the wider landscape.

11. Due to its height, the extension would be well below the ridge height of the main part of the building, and its ridge and eaves height would be commensurate with that of the former milking shed. Its simple roof form and angle of pitch would harmonise with that of the former milking shed. These factors, together with the frameless glazed link, would create a subordinate relationship.
12. Views of the proposed extension from the south would be largely limited, due to the depth and nature of the intervening land, together with some vegetation and the existing wing, which would provide some degree of screening. While the siting of the extension would obscure parts of the westerly flank of the building, the existing hedgerow along the western boundary of the appeal site already provides screening of a considerable length and height, and views of the upper westerly flank of the barn would still be available.
13. The proposed external materials include vertically aligned timber cladding to the roof and walls, which would provide an agricultural appearance. While the timber would not be of the same horizontal alignment as that to the barn and the wing, this would enable a clear distinction to be made from the historic building, respecting its significance. The glazing to the corner of the proposed extension would also be different to that of the main building, but this would harmonise with the frameless glazed link. The openings along the flank elevation would lack rhythm, but they provide a functional purpose and would be screened from view. The glazed link would respect the original plan form of the building, and it would also reveal some of the vertical timbers serving the former milking shed, which would otherwise be screened by unsympathetic weatherboarding.
14. The proposed extension would incorporate a brick plinth, shown in a regular coursing. The previous appeal decision indicates the existing plinths to the building were rebuilt. During my visit, I saw that these largely comprise stone and/or rough brickwork, with a largely muted colour palette. I note that the Authority's officer report (OR) which considered the proposal and the appellant's heritage evidence refer to decking/a small area of decking, but no such material appears to be indicated on the submitted plans. The presence of a small area of decking would not significantly detract from the building or the wider landscape. In any event, all externally facing materials, including the colour and coursing of the plinth work, timber cladding, window frames and doors could be controlled by condition to ensure that the proposed extension would have a suitable appearance. Overall, the design features of the proposed extension would ensure a degree of harmonisation to the existing building, balanced with some degree of contemporary elements that would combine to create an acceptable and subordinate distinction from its host, as demonstrated by the coloured elevations submitted to the appeal.
15. Drawing all the above factors together, I am satisfied that the proposed siting and design of the extension would avoid further harm to the historic fabric of the NDHA, and that its siting, form, design, and mass would not harm its key features of significance, nor detract from its immediate setting. The glazed link would allow some features of its significance to be revealed, and this would be a degree of enhancement, albeit within private view. The relationship of its key remaining features (such as its large openings within the front and rear elevations) to the wider landscape would not be affected. The proposal would therefore meet the Framework's objective to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of

life of existing and future generations. Consequently, it is not necessary for me to conduct any heritage balance.

16. SDLP Policy SD31 permits extensions to existing dwellings where the proposal does not increase the floorspace of the existing dwelling³ by more than approximately 30% unless there are exceptional circumstances. The supporting text of the policy states that its purpose is to avoid the over-extension of existing dwellings and the adverse impact that this has on the character and appearance of both settlements and the countryside. Given my findings above, the proposed extension would not harm the character and appearance of the countryside, nor any settlement.
17. The appellant's calculations indicate a 30% increase, while the OR states that it would be 35%. The OR provides no explanation for this variance. The appellant's submissions indicate that measurements have been checked, ensuring that any floor area below 1.5m is excluded in accordance with the TAN, such that the appellant maintains that the increase would be 30%. Therefore, on the appellant's figures the proposal would comply with SDLP Policy SD31. However, if the Authority were correct in its calculations, then the proposal falls to be considered with reference to how 'approximately' is interpreted and/or any exceptional circumstances, having regard to the TAN, which (among other things) advises that the interpretation of 'approximately' will depend on the scheme details and what is reasonable to achieve a good scheme.
18. The proposal respects the significance, historic fabric and setting of the NDHA and would not result in a harmful intrusion into the landscape of the NP. The detail of the glazed link is a key element in this regard and forms a significant proportion of the increase in floorspace. I am therefore satisfied that if the Authority were found to be correct in its calculations, the design of the proposed extension is reasonable to achieve a good scheme in this instance in the context of the NDHA, sufficient to justify a 35% increase.
19. For the reasons above, I conclude that the proposal would not unacceptably harm the character and appearance of the area, the NDHA and its setting, and the landscape character of the NP and it accords with SDLP Policies SD1, SD4, SD5, SD12 and SD31. Taken together, these policies seek to conserve and enhance the historic environment and the landscape character of the NP; to prevent the over-extension of dwellings; to ensure that development respects local character through sensitive, high quality and sympathetic design; to conserve and enhance heritage assets and their settings having regard to their significance; and to ensure that development proposals accord with the statutory purposes of the NP. Given my findings and conclusion on this main issue, the proposal would accord with the first statutory purpose of the NP.

Ecosystem services

20. SDLP Policy SD2 permits development proposals where they have an overall positive impact on the ability of the natural environment to contribute to goods and services and requires development proposals to be supported by a statement. The supporting text sets out that ecosystem statements should be proportionate to the impact of the proposal. An eco-services statement is within the supporting information to the application. This references the findings of the ecology report

³ Defined as the residential unit that existed on 18 December 2002, or if after that date, as originally built.

submitted with the application, which recommends the installation of bat boxes and features into the building fabric and the installation of bird boxes on walls/trees within the vicinity to enhance the site for bats and birds. These enhancements can be secured by condition.

21. The Authority's OR considers that the proposal does not attempt to deliver all opportunities to achieve the policy objective. Excluding any potential effect upon the integrity of European Protected Sites⁴ (which I address later in my decision) there is no compelling evidence before me to indicate that the proposed extension would adversely impact any other ecology or natural resource, nor that there would not be an overall positive impact.
22. The appellant draws my attention to numerous existing measures within the property to support ecosystems, and I saw many of these during my visit. Although highly commendable, any actions previously undertaken by the appellant to support and enhance the natural environment within the appeal site do not form part of the proposal.
23. For the reasons above, I conclude that the proposal would result in an overall positive impact on the ability of the natural environment to contribute to goods and services proportionate to its impact. Consequently, it accords with SDLP Policy SD2, whose objectives I have set out above.

Other Matters

European Protected Sites

24. The Conservation of Habitat and Species Regulations 2017 (as amended) (the Regulations) require that where a project is likely to have a significant effect on a European Protected Site, either alone or in combination with other projects, the competent authority must make an Appropriate Assessment of the project's implications in view of the relevant conservation objectives.
25. The appeal site is within the 6.5km zones of influence for two European Protected Sites, namely the Ebernoe Common Special Area of Conservation (SAC) and the Mens SAC. Both sites are designated for their beech forests on acid soils. The Ebernoe SAC is also designated for Barbarstelle and Bechein's bats maternity roosts, and the Mens SAC is also designated for its Barbastelle bat maternity roosts. Consequently, all impacts upon bats should be considered. The appeal site is also within a 12km zone whereby significant impacts or severance to flight lines for bats should be considered.
26. The submitted ecology report concludes that there is negligible scope for bat roosts, while the foraging and commuting potential of the appeal site is assessed as high. In order to mitigate disturbance to foraging and commuting bats, an ecologically sensitive lighting scheme is recommended, together with the incorporation of bat shelters and bat boxes into the building fabric.
27. The Authority considers that the proposal relates to an existing dwelling with an associated domestic level of activity and light spill; and that although the addition includes a glazed link, the effect was considered as quite minimal given the presence of the large, glazed threshing doors. Overall, the Authority concluded in their own Appropriate Assessment that there would be no significant effects upon

⁴ As defined at Regulation 8 of The Conservation of Habitats and Species Regulations 2017 (as amended).

the European sites. However, it is not clear whether the assessment was made in terms of any in combination effects. I have therefore consulted with Natural England (NE) on this matter.

28. NE advise that the proposed development would not affect the integrity of the European Sites and their relevant features alone or in combination with other projects, and that no mitigation or enhancement measures are required in this regard. In terms of the submitted ecology report and its recommendations, NE supports enhancements made to development sites for foraging and commuting bats, but does not provide further advice on such matters, given the absence of any effect upon the integrity of the European Protected Sites, although NE acknowledges that enhancements may be required to address wider impacts.
29. Therefore, in concluding my Appropriate Assessment as the competent authority, I am satisfied that there would be no adverse effect on the integrity of the European Protected Sites when considered alone or in combination with other development. The proposal complies with the Regulations and there are no other unacceptable environmental effects.

Conditions

30. I have considered the conditions suggested by the Authority, comments from the appellant including pre-commencement, and in light of the Planning Practice Guidance (PPG). For clarity, precision and to ensure compliance with the PPG, I have undertaken some amendments, editing and rationalisation.
31. Conditions imposing a time limit for commencement and requiring the development to be in accordance with the approved plans are necessary in the interests of clarity and precision. The external materials used in the development need to be suitably controlled in the interests of the NDHA and the character and appearance of the area. It is therefore reasonable and necessary to impose a condition to ensure that details and samples are submitted and agreed. Conditions to install suitably controlled blinds to minimise harm to dark night skies and to ensure that ecological enhancements are in place prior to the first use of the development are reasonable and necessary in the interests of the NP and protected species.

Conclusion

32. The proposal accords with the development plan, read as a whole and it would further the first statutory purpose of the NP. I therefore conclude that the appeal should be allowed, and planning permission should be granted, subject to the conditions I have set out.

J Moore

INSPECTOR