

Report to	Planning Committee
Date	10 September 2015
By	Director of Planning
Local Authority	SDNPA (Wealden District Area)
Application Numbers	SDNP/14/03650/HOUS & SDNP./14/03651/LIS Appeal Ref: APP/Y9507/W/15/3005351 Appeal Ref: APP/Y9507/Y/15/3005353
Application	Installation of wall ties with a black metal external cross and alterations to front entrance floor levels including land drainage and erection of timber stock proof fence in lieu of metal estate fencing and tv/satellite dish (householder application and listed building consent application
Address	Old Cheales Barn, The Village, Alciston, Polegate, East Sussex
Purpose of Report	To Update Members on the Planning Inspectorate's decision to dismiss the appeals at the above site.

Recommendation: The Committee is recommended to note the contents of this report.

I. Introduction

- 1.1 The application related to works to a listed barn in the village of Alciston. Alciston is a linear settlement with dwellings lining both sides of the road running through it. Many of the properties in the village are listed. The application site comprised a Grade II listed flint and timber agricultural barn which had been converted to residential use. There is a single-storey addition to the rear of the property which serves as utility room and additional bedroom. Planning permission was also granted in 2014 for a second single-storey extension to the rear to serve as a domestic/garden store room. The barn is located in the middle of a parcel of agricultural land and is not widely visible from the rest of the village due to its set back position and vegetation cover. The property is visible from the Church to the southwest. The works were retrospective.
- 1.2 The applications were refused, contrary to the officer's recommendation, at the 11 December 2014 committee meeting for the following reason:
The unauthorised development has had a detrimental impact on the character and appearance of the building contrary to policies EN19 and EN27 of the saved Wealden Local Plan 1998, policies SP02 and SP013 of the Wealden Joint Core Strategy, the Wealden Design Guide SPG 2008, policy 9 of the South Downs Management Plan 2013 and the NPPF.
- 1.3 In arriving at his decision, which was the subject of an informal hearing, the Inspector identified the main issues as:
- (i) The effect of the proposals on the architectural or historic interest of the grade II listed building (both appeals); and
 - (ii) The effect of the proposals on the character and appearance of the Alciston Conservation Area (The householder application only).
- 1.4 On the first of these issues the Inspector concluded that no clear and convincing reasons had been provided as to why the finally adopted solution in terms of works to the property

had been chosen over and above those alternative solutions that could be employed to achieve the same end without the harm that he had identified to the heritage asset. He therefore confirmed that the harm caused by the alterations and additions both individually and together were such as to justify that both appeals be dismissed

- 1.5 On the second issue (in relation to the householder application), the inspector concluded that the elements the subject of the appeals undermined the quality and attention to detail required in terms of converting listed buildings. They were readily visible in the wider area and this undermined the contribution that the listed building makes to conservation area, thereby harming the character and appearance of the Conservation Area.
- 1.6 The Inspector's decision is attached at **Appendix I** and can be viewed at: <https://acp.planningportal.gov.uk/ViewCase.aspx?CaseID=3005351&CoID=0>
- 2. Conclusion**
- 2.1 The appeal decision relates to retrospective works to the listed building. It was found that the works caused harm to the setting of the listed building and detracted from the character and appearance of the Conservation Area. Officers will now be considering next steps in light of the appeal decision, given that the works had already been undertaken.
- 3. Crime and Disorder Implication**
- 3.1 It is considered that the decision does not raise any crime and disorder implications.
- 4. Human Rights Implications**
- 4.1 This planning application was considered in light of statute and case law and any interference with an individual's human rights was considered to be proportionate to the aims sought to be realised.
- 6 Equalities Act 2010**
- 6.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer:	Rob Ainslie
Tel:	01730 819265
email:	robert.ainslie@southdowns.gov.uk
Appendices	I. Appeal decision
SDNPA Consultees	Director of Planning & Legal Services.

Background Documents

Committee report (10 December 2014)
http://www.southdowns.gov.uk/wp-content/uploads/2015/02/plan_2014Dec11_Agenda-Item-14.pdf

Appeal Decisions

Hearing held on 18 August 2015

Site visit made on 18 August 2015

by Kenneth Stone Bsc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 August 2015

Appeal A: APP/Y9507/W/15/3005351

Old Cheales Barn, The Village, Alciston, Polegate, East Sussex BN26 6UW

- 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 Firle Estate against the decision of South Downs National Park Authority.
 - The application Ref 14/03650/HOUS, dated 20 July 2014, was refused by notice dated 19 December 2014.
 - The development is described as the 'installation of wall ties with a black metal external cross and alterations to front entrance floor levels including land drainage and erection of timber stock proof fence in lieu of metal estate fencing and tv/satellite dish'.
-

Appeal B: APP/Y9507/Y/15/3005353

Old Cheales Barn, The Village, Alciston, Polegate, East Sussex BN26 6UW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Firle Estate against the decision of South Downs National Park Authority.
 - The application Ref 14/03651/LIS, dated 20 July 2014, was refused by notice dated 19 December 2014.
 - The works are described as the 'installation of wall ties with a black metal external cross and alterations to front entrance floor levels including land drainage and erection of timber stock proof fence in lieu of metal estate fencing and tv/satellite dish'.
-

Decision

1. I dismiss both appeals.

Procedural matters

2. Retrospective applications were submitted seeking planning permission and listed building consent for the works/development described above. At the time of the hearing and my site visit the works/development were in place.
3. At the hearing it was drawn to my attention by representatives from the Parish Council that the plan 21A entitled 'as built elevations' was in fact incorrect and did not show the correct details of the barn doors or the total number of wall tie pattress plates visible on the elevations. The Council's statement, dated July 2015, had also made corrections to its original statement and clarified that there were 23 ½ ties and pattress plates that had been installed across the four elevations, whereas only 19 ½ were illustrated on the plan. This was not

disputed by the appellant. During the site visit it was also evident that the barn doors were not as depicted on the 'as built elevation' - drawing 21A. I have had regard to these matters in the consideration of this appeal.

Main Issues

4. The main issues are:

- In relation to both appeals, the effect of the proposals on the architectural or historic interest of this grade II listed building; and
- In relation to appeal A only, also, the effect of the proposals on the character and appearance of the Alciston Conservation Area.

Reasons

5. Old Cheales Barn is a converted barn which the listing description describes as 18th century with the lower portions in flint and weather-boarded above and is topped with a half hipped tiled roof. Although not specifically referred to in the short listing description the building has brickwork quoining, a soldier course and detailing including narrow vents in the flint walls. Following conversion work the original weather boarding has been replaced with modern and the building is now in use as a residential property.
6. The building is located in Alciston Village a small linear settlement at the foot of the South Downs. The village incorporates buildings fronting both sides of a narrow lane, with Old Cheales Barn sited to the south east of the main frontage buildings and towards the centre of the village. The Village is a conservation Area, and the barn is within the conservation area boundary. The village is also located within the South Downs National Park.

Listed Building

7. In considering whether to grant listed building consent and planning permission I am required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I am also required to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise.
8. The National Planning Policy Framework (the Framework) at paragraph 132 it is noted that great weight should be given to a heritage asset's conservation and that as heritage assets are irreplaceable any harm or loss of significance should require clear and convincing justification.
9. The significance of this listed building derives from its agricultural character and appearance and its setting in the landscape. Contributing to that significance is the traditional form and scale of the building, the traditional materials, its detached location from the main village frontage development reflecting its agricultural associations. The large central double doors and openings on each long side are reflective of its original use providing easy access for horse drawn carts, as identified in the Archaeological Standing Building Record report submitted with the application.
10. The conversion of the building to residential use was the subject of a grant of planning permission and listed building consent in 2010 and this has secured the building's long term preservation. The elements that are now the subject

of these appeals are consequences deriving from that permission but focussed on the level of attention to detail and whether this has resulted in harm to the significance of the listed building.

11. It is not disputed by the main parties that the number of wall ties that have now been provided are required to secure the structural stability of the building. This has been confirmed by the submission of structural reports by both the appellant and the National Park Authority. Whilst the Parish Council still question the need for the wall ties used they have provided no technical evidence to demonstrate that the conclusions of the structural reports of the main parties are incorrect and I accept that the wall ties, including the number provided are required to secure the structural stability of the building.
12. In providing the large number of wall ties it was obvious that these would have an effect on the appearance of the building. The consequence of the significant numbers of ties required detailed consideration to be given to the external manifestation of that engineering solution. Given the sensitivity of the building it was appropriate to ensure that the final solution sought to balance the required engineered solution with the aesthetic impact and the effect that could have on the significance of the building, given its agricultural appearance and the materials from which it was constructed.
13. The appellant has chosen a cross shaped patress plate which has historic references in terms of its general appearance and form. It was also suggested this would differentiate it from the existing s-shaped patress plates on the building and thereby assist future generations in understanding the evolution of the building. I have some sympathy with that general intention. However, the chosen patress plates with the material, steel, and machined/ pressed appearance along with the overall regular form and dimensions result in a very modern appearance. The crosses appear excessively wide and thick in dimension and whilst it would not be expected that a sophisticated design would be appropriate to an agricultural building the very regular manufactured modern appearance of the existing crosses sit uncomfortably on the historic building. Whilst there are historic examples of cross shaped plates those often have particular characteristics derived from the wrought iron material, irregular shape and more crude appearance that would better reflect the rustic nature of the agricultural building. The significant number of ties compounds the visual impact of the crosses on the building as a whole and requires an attention to detail of the finish of these features which is missing from those provided on the building so that they do not detract from the overall appearance of the building. In this regard I find that the wall plate patresses do harm the character and appearance of the special architectural interest of this grade II listed building.
14. The proposed alterations to the front entrance to the building have resulted in the excavation of an area of land immediately to the front of the original opening in the north-west elevation. According to the Archaeological Standing Building Recording the doors have been heavily restored and rehung and there is no clarity as to whether they are original. The surrounding bracing timbers around the opening also fill part of the original opening. A wooden fence has been erected to enclose the excavated area.
15. The ground levels surrounding the building have historically been altered, primarily to the rear and north east of the building. This has resulted from the

building and how it worked or was used, but given the remaining ground levels this can be readily understood. The localised alterations around what is now the front entrance to the house is unrelated to the form or original use of the building. The alterations complicate and obscure the interpretation of how the original building would have functioned or how the historical evolution of the building and its use would have occurred. The original approval retained the external ground level and accommodated the change in levels by an internal transition. This was much more sympathetic to the historic character of the building and one which the appellant admits was achievable. The fencing to secure the area around the excavated area draws further unnecessary attention to this inappropriate detail.

16. The appellant has indicated that the adopted solution was easier to secure the building from water penetration and better practice than the internal solution. But, in my view, insufficient regard is given to the weight that needs to be given to the impact on the listed building. There are alternative solutions that could achieve the same end and with less effect on the listed building. The appellant has not provided any clear and convincing evidence to suggest this could not be achieved, would be impractical to achieve, or was excessively expensive.
17. Whilst I agree with the appellant that a metal fence would not necessarily appear any more appropriate, the use of timber fencing to reflect the modern railing on the terrace at the rear does not justify the form and material of the fencing used. The original location of the fencing would reduce its impact and a more appropriately justified form of fencing material needs to be adopted.
18. These concerns around the alterations to the entrance are compounded by the alterations to the barn doors. These are an important element in the understanding and appearance of the building and the lack of care an attention to the detail of the size and scale of the doors further detract from the overall appearance of this part of the building.
19. Whilst I accept that the satellite dish is located to the rear of the building it is sited at the southern corner of the building which is readily visible from the public footpath that goes through the field to the south. This is a modern element of a residential use but a more sensitive siting of the dish, would fulfil the required function and reduce its impact on the views of the listed building.
20. For the reasons given above I conclude that the installation of wall ties with a black metal external cross and alterations to front entrance floor levels including land drainage and erection of timber stock proof fence in lieu of metal estate fencing and tv/satellite dish would result in material harm to the to the architectural or historic interest of this grade II listed building. Consequently they would conflict with policy EN27 of the Wealden Local Plan and Policies SP02 and SP013 of the Wealden District (incorporating Part of the South Downs National Park) Core Strategy Local Plan which collectively require development to be of a good design and ensure that the intrinsic quality of the historic environment is protected.

Conservation Area

21. In the context of the planning application I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of

- the conservation area, as well as determining applications in accordance with the development plan unless material considerations indicate otherwise.
22. The Alciston Conservation Area appraisal identifies the historic core of the village around the parish church the listed buildings and other frontage buildings and the significant tree groups as contributing to the special historic character and appearance of the conservation area. The appellant suggests that the scale form and spacing of buildings within the conservation area, the materials used throughout the village and the settlement pattern contribute to the significance of the conservation area. I agree that these elements all add to the character and appearance of the conservation area.
23. Old Cheales Barn is one of the listed buildings referred to in those descriptions and its location to the rear of the main village frontage is also important. The barn is visible in longer views from the church and from a public foot path that runs close to the site and along the rear of the frontage properties of the village.
24. The building is in a relatively prominent location on this side of the conservation area and viewed in the context of open fields beyond. It is visible in longer views and as approached along the public footpaths, particularly when approaching from the west and south. Given the conclusions above about the harm to the listed building it follows that in open views from within the conservation area and surroundings there would also be harm to the character and appearance of the conservation area. The alterations to the front elevation are readily visible when approaching from the west, from the village, as are a number of the patress plates. The south west elevation contains seven new patress plates and these are visible from longer and closer views. The closer the view the more readily apparent the modern appearance and form of the plates becomes. In this location the satellite dish is also visible.
25. It is accepted that the building has been converted and is presently occupied as a residential property with a number of alterations and additions that have been undertaken and approved. The elements the subject of these appeals. However, undermines the quality and attention to detail that is required in terms of converting listed buildings. They are readily visible in the wider area and this undermines the contribution that this listed building makes to the conservation area and thereby harms the character and appearance of the conservation area.

Overall conclusions

26. The overall harm I have identified to the significance of the heritage assets, both the listed building and the conservation area as a whole, is, in the context of the Framework, less than substantial. I have concluded this based on the fact that the existing building has already been converted subject to various permissions and that the alterations and additions do not fundamentally alter the form and shape of the building or the materials from which it is constructed. Moreover, they only affect parts of the contributing factors to the significance of the listed building, which itself only makes a small contribution to the wider conservation area. Paragraph 134 of the Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this should be weighed against the public benefits of the proposal, including securing its optimum viable use.

27. The appellant contends that the alterations and additions do not result in harm, but that if harm has occurred, the provision of an additional residential unit in a sustainable location is a public benefit. It is also suggested that the investment put into the development and the new use secure the future of the building and result in securing its optimum viable use and these are significant public benefits that outweigh any harm, should it be found to arise. However, the existing use is the subject of a previous approval and is not questioned in these appeals. In many instances there are alternative solutions that could be considered, or which have been discounted. No clear and convincing reasons have been provided as to why the finally adopted solution has been chosen over and above those alternative solutions that could be employed to achieve the same end and without the harm to the heritage assets that I have identified above. In this regard, whilst I accept that there is a benefit from the use of the building for residential purposes, the buildings future and optimum viable use has been secured through the change of use that has occurred. The alterations and additions the subject of these appeals do not compromise that position and such ends as they are aimed to achieve could be achieved without the harm I have identified arising.
28. On balance I conclude that the harm I have identified is not outweighed by the limited public benefits attributable to the alterations and additions the subject of these appeals, which could be secured by more appropriate interventions to secure the same end.
29. For the reasons given above therefore I conclude that the harm caused by the alterations and additions to the building individually and together are such as to justify that both appeals be dismissed.

Kenneth Stone

INSPECTOR

