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Appeal Decision

Site visit made on 20 January 2009

by Elizabeth Fieldhouse DipTP DipUD MRTPI

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

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Decision date:
4 February 2009

Appeal Ref: APP/M3835/A/08/2084875
Thatch Cottage, Pond Lane, Durrington, Worthing, West Sussex BN13 2RH

- 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 G Pullen against the decision of Worthing Borough Council.
- The application Ref WB/08/0307/FULL, dated 19 March 2008, was refused by notice dated 15 August 2008.
- The development proposed is the demolition of the existing single storey annexe to provide new larger studio annexe with free standing loggia to the south elevation.

Decision

1. I dismiss the appeal.

Main issue

2. I consider the main issue is whether the proposed development would preserve the listed building or its setting.

Reasons

3. Thatch Cottage is a modest grade II listed property probably dating from the 18th century constructed of painted flint with brick dressings and irregular window openings. The thatched roof is asymmetrical with the west end hipped and a gable at the eastern end. The proposed annexe would replace an existing timber building but be substantially larger and extend further into the garden away from the cottage. The proposed annexe and loggia would be totally detached from the listed building.

4. The proposed building would be 4m by 6m and some 3.65m high to the ridge, higher than the eaves of the Thatch Cottage but some 1.5m from the south east corner of the cottage. The annexe would be constructed of white washed flint under a slate or plain tiled roof with windows similar in style to those in the cottage but regularly positioned. The proposed annexe would provide a utility room and studio with en-suite bathroom that, the appellant indicates, could double as an occasional guest bedroom. The space between the cottage and the annexe would be covered by a loggia that would extend from the door in the rear of Thatch Cottage to the door to the proposed utility room.

5. The Council considers that the existing shed is unlawful but the appellant claims that the shed was erected in 1995. No application had been submitted for a Certificate of Lawfulness and this appeal is not the place to consider the lawfulness of the existing shed. However, I have taken into account the visual impact with and without the shed when considering this appeal.

6. By reason of its scale and footprint, I consider that the proposed annexe would visually dominate the setting of the listed building to which it would be fairly close. This would be particularly harmful from public vantage points in the road where the annexe, with a substantial pitch roof, very limited over hang at eaves level and a ridge higher than the eaves of the cottage, would appear a harmful contrast to the existing cottage which has the large overhanging roof characteristic of a thatched building. The harm is compounded by the loggia which appears to visually link the proposed annexe to the listed building.

7. By reason of its design, siting and scale, I consider that the proposed annexe and associated loggia would not appear as a small outbuilding/wash-house to the cottage that may be necessary for storage and utility purposes, but rather a building that by its scale and design would visually compete with the listed building and harm the setting of the cottage. I do not find the existing shed a justification for the harm I have identified from the proposal as the existing shed is considerably smaller and lower. I note that the appellant is willing to remove the loggia but do not consider that this would overcome the harm I have identified from the proposed annexe.

8. I am mindful of the requirement of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possess. While the fabric of the listed building would not be harmed by the proposal, I consider that the scale, design and siting of the proposed annexe building and the loggia would fail to preserve the setting of the listed building. In my opinion, all the provisions of policy BE1 of the Worthing Local Plan 2003 and policy CH5(a) of the West Sussex Structure Plan 2001-2016 would not be met. For the reasons given above I conclude that the appeal should be dismissed.

Elizabeth Fieldhouse

INSPECTOR