Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0459
Springwells Bed And Breakfast, 9 High Street, Steyning, West Sussex, BN44 3GG

DESCRIPTION:
Removal of part of boundary wall to the south of the property (retrospective) (Listed Building Consent)

RELEVANT PLANNING HISTORY:

DC/24/0458	Retention of boundary walls to the south of the property (Householder Application)	Withdrawn
DISC/21/0262	Approval of details reserved by condition 3 to approved application DC/21/1488	Application Permitted on 08.11.2021
DISC/23/0119	Approval of details reserved by condition 4, 5, 6 and 7 to approved application DC/21/1488	Withdrawn Application on 14.07.2023
DC/21/1488	Change of use from a bed and breakfast (Class C1) to a private dwelling (Class C3) with associated alterations (Full Application)	Application Permitted on 06.08.2021
DC/19/0044	Removal of existing external metal stair (Listed Building Consent)	Application Permitted on 05.03.2019
DC/18/2222	Demolition of outside and inside walls, minor changes to door and windows external position and replacement cladding (Listed Building Consent)	Application Permitted on 06.12.2018
DC/18/2195	Variation to condition 1 to previously approved application DC/17/2306 (Proposed repositioning of external door and window following internal reconfiguration) relating to minor changes to doors and windows location and replace cladding.	Application Permitted on 06.12.2018
DC/18/2194	Demolition and replacement of wall and gate, erection of concrete yard, hard standing and ramp (Listed Building Consent)	Application Permitted on 06.12.2018
DC/18/2193	Demolition and replacement of wall and gate, erection of concrete yard, hard standing and ramp (Full Planning)	Application Permitted on 06.12.2018
DC/17/2115	Demolition of section of existing boundary wall and erection of replacement brick wall (Full Planning)	Application Refused on 21.08.2018

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (2015):
Policy 34- Cultural and Heritage Assets

Steyning Neighbourhood Plan:
SNDP3 – Contribution to Character

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Conservation Officer: No Objection
The comprehensive heritage statement clearly describes the significance of Springwells and the contribution of its boundary wall to its special interest and the character of the conservation area. I am satisfied the justification to not rebuild the portion of wall demolished in 2017 is acceptable. Any harm to the special interest of the listed building and the character of the conservation area is negligible. I am satisfied public benefit through improved highways safety at the junction of Dog Lane is sufficient to outweigh any harm. I do not object to the proposal.

Parish Comments:
'Objection, based on the loss of the historic flint wall in the Conservation Area which were the conditions of the original planning application.'

Representations:
One representation received commenting in summary:

- The loss of the wall has made no significant difference to the outlook of Springwells. The wall intruded into the high street and if anything, it is now more aesthetically pleasing.
- This wall creates a minimal contribution to the whole building and there is no major enhancement to it. Thus by not being replaced it will not affect the general character of the main building. It really does not warrant being rebuilt.
- Also taking into account that any new replacement wall would be in newer materials, which might make it look out of character.

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Paragraph 193 of the NPPF (2018) states that "when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)." Paragraph 194 continues to state that "any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or for of development within its setting), should require clear and convincing justification."

Springwells House is located the southwest side of the High Street within the Steyning Conservation Area. The main house is a Grade II* listed property. The list description for the house is brief, and reads as follows: "STEYNING HIGH STREET 1. (south-west side) 5404 No 9 (Springwells Hotel) (Formerly listed as No 9 (Cuthman's Guest House) TQ 1711 24/121 15.3.55. Grade: II*
List Entry Number: 1027281. Date first listed: 15-Mar-1955

Permission has been granted in August 2021 for Change of Use from B&B to a dwellinghouse under ref. DC/21/1488, and the required conditions have been discharged. The application site is a corner plot with Dog Lane running along the southern (side) boundary of the site. The boundary treatment along the side boundary with Dog Lane consists of a stone flint wall. Over the years the house has been subject of additions and alterations, particularly to the rear, to facilitate the historic use of the house as a hotel/restaurant. Today, it is in use as a residential building. The front garden of the property is open to the High Street, enclosed by a low box hedge, with a gravel garden behind.

This application is to regularise a breach of planning control in relation to part of the curtilage listed wall at Springwells House. A section of wall was removed in 2017 due to instability and highway safety fears, but the reinstatement of the section of the wall, which was required by consent granted in 2018 (Ref: DC/18/2193), was not implemented. It is proposed in this application to maintain the existing boundary treatments.

The High Street was historically wider, and it appears from mapping that the front garden was created from land borrowed from the main highway in the 19th century. The boundary wall along Dog Lane which encloses the rear garden is likely to date from the 18th or 19th centuries. It is built of cobbled flints, probably recovered from the chalk fields of the nearby Downland, or coastal areas, and has brick dressings. Brick buttresses have been used to strengthen the wall at intervals along its length. Owing to its age, and association with the grade II* listed house, the walls benefit from curtilage listing.

There appears to be no evidence that garden walls ever fully enclosed the front garden to the property, which until the 19th century sat hard on the High Street, with the front garden area only being incorporated from the main road at this time. The walls, while making a positive contribution to the character of the conservation area and the setting of the listed building, remain substantially intact along the southern boundary of the property. The section of the wall that has been removed is at a very narrow point in Dog Lane, where visibility for vehicles approaching the High Street/Dog Lane is reduced.

The rear garden of Springwells has been reduced in size owing in part to the creation of a separate dwelling, Bay Cottage from an outbuilding previously within the curtilage of Springwells. More significant changes to the setting of the listed building arise from the more intensively used High Street, and from additions and alterations to the property during its use as a hotel/guest house.

In 2017 a section of the garden wall adjoining Dog Lane became unsafe. It is set out in the submitted planning statement that fearing a highway safety hazard the Applicant undertook to remove part of the garden wall, approximately 2 metres, to prevent it falling. The Applicant was subsequently advised that consent was required for the removal of the wall and an application for its demolition was made (DC/17/2115). The application was refused by reason of perceived harm to the character of the conservation area and the setting of the listed building. A further application (DC/18/2193) was made in 2018 for: “Demolition and replacement of wall and gate, erection of concrete yard, hard standing and ramp (Full Planning)”. Consent was granted for the applications, and the Applicant undertook to make good the remaining section of the wall and install the hard standing and ramp. It is set out in the planning statement that family circumstances subsequently changed, with Mr. Armstrong becoming unwell and being unable to complete the work to rebuild the wall. Regrettably, the works were therefore left incomplete, which has resulted in a breach of planning now being identified.

The HDC Conservation Officer has been consulted, stating that the comprehensive heritage statement that has been submitted with the application clearly describes the significance of Springwells and the contribution of its boundary wall to its special interest and the character of the conservation area. It is considered that the justification to not rebuild the portion of wall demolished in 2017 is acceptable. Any harm to the special interest of the listed building and the character of the conservation area is considered negligible. It is also considered that public benefit through improved highways safety at the junction of Dog Lane is sufficient to outweigh any harm.

Images of the section of 2 metre wall removed prior to 2017 show a flint wall, built in cobbled flints laid in courses with a cobbled capping along the rear garden (southern boundary) of Springwells up to Bay Cottage. East of Bay Cottage on this boundary, there is a break in the continuous wall with a timber gate installed within it. There is a further break in the wall providing vehicular access to Bay Cottage.

Close to the front (east) elevation of Springwells there was previously an arched opening in the flint wall accommodating a timber gate providing pedestrian access to the rear garden area of the property (shown in 2009 as a service area to the hotel). The appearance and condition of the section of wall that was removed is difficult to see in these images owing to vegetation, but it too was constructed in flint, terminating in a brick pier a short distance forward of the front of the house where it adjoined the granite setts demarcating the front garden of Springwells.

The western end of the boundary wall, running east from Bay Cottage is built in coursed cobbled flints, with a rounded capping also in flint, and in part replaced with cement capping. Much of the pointing seems to have been replaced with cement mortars, including to the capping of the wall. The section of the wall running from the second buttress along Dog Lane eastwards to the front of Springwells incorporating the gate to Springwells is also built in flint, but the quality is lower, comprising broken flints with a brick capping. It is understood that the part of the wall that was removed was of the same appearance. The then extant section of wall is shown in the application drawings of 2018 with a brick capping, in common with the retained section.

The lost section of wall therefore is assumed, from its materials and craftsmanship, to be later than the fully cobbled section of wall further west along Dog Lane towards Bay Cottage. The wall west of Bay Cottage is again detailed differently, with a band of brickwork within the wall and a ‘hogs back’ brick coping. In terms of the values associated with the dismantled section of the wall, there was little intrinsic value in the materials themselves. Similarly, the construction techniques employed were not of any significant craftsmanship or complexity. The condition of the wall along Dog Lane was, and remains variable, and repairs have repeatedly been required to maintain it, including the installation of a new buttress as part of the 2018 works. Images of the property dating from 2009 show the section of dismantled wall, but the imaging is indistinct. The gate within the brick arch is visible, but the condition of the wall is not clear. By 2012, the vegetation growth considerably masks the wall. It is very likely that the proximity of the holly tree, and other shrubs contributed to the destabilisation of the boundary wall in this area.

The value of the wall is in its contribution to the character of the conservation area, and the setting of Springwells. It is not contested that the boundary walls are an important feature of this part of the conservation area, however, proposals for alterations must be assessed in terms of their impact to the significance of heritage assets and their settings. The NPPF sets out that conservation of heritage assets should be proportionate to their significance – the more important the asset, the greater the weight given to their conservation should be (Para 205). The boundary wall, while a feature of the conservation area that contributes positively to it, is not listed in its own right, but is curtilage listed, and the section closest to the junction with Dog Lane is demonstrably lower quality than the section further west. It is not considered to be so important that modest and considered change cannot be accommodated.

The NPPF states that: “Not all elements of a Conservation Area...will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area...should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole”.

The contribution that the two metre length of removed boundary wall of Springwells made to the significance of the conservation area as a whole is clearly low. While there is a flint/brick wall along the south side of Dog Lane, it is of variable age, quality, and condition, and is punctuated by gaps, some of which are for vehicular access, and so are newly created, as at Bay Cottage. There are different coping details along the length of the wall, and there are unornamented brick piers demarcating gaps for vehicular or pedestrian access. In some places, vegetation growth is causing damage to stone walls. There are examples of concrete pointing and capping to many parts of the boundary walls throughout this part of the conservation area.

In summary, the level of harm to the significance of the conservation area as a whole resulting from the removal of approx. two metres of boundary wall is at the lower end of the spectrum of harm to the designated heritage assets. While the loss of the wall has had the effect of slightly ‘opening up’

views of the front garden area of Springwells at the southeast edge of the property, the impact on the setting of the house is very slight and could be further mitigated by sensitive and appropriate planting.

The masonry of the section of the brick wall that has been dismantled is regrettably no longer at the site as such, any rebuilding of the wall would not be using any historic materials, and would be a replacement of what was, in any case believed to be a later section of walling. It is considered that by maintaining the wall as it is, the hazardous nature of the present junction of Dog Lane/High Street would be eased, which represents public benefit. The reconstruction of this part of the boundary wall may also interfere with a drain which is located within Dog Lane at this location.

It is considered that the effect of reinstating the lost section of wall would be marginal to the significance of the conservation area and the setting of the listed building. There would arguably be no enhancement to the conservation area of listed building because the wall would be in new materials, and appear intrusive in the setting as it would not have any enclosing function to the front of the property.

The proposal is considered appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the proposal would preserve the historic interest of the Grade II* Listed Building, in accordance with development plan policies.

Recommendation: Application Permitted

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0459

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan		NONE	25.03.2024
Location plan		NONE	25.03.2024
Design & Access Statement	Heritage	NONE	25.03.2024
Elevation & Floor plan		NONE	25.03.2024

DELEGATED

Case Officer sign/initial Steve Astles Date: 14.05.2024

Authorising Officer sign/initial Adrian Smith Date: 17/09/2024