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# Appeal Decision

Site visit made on 11 September 2017

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 19 September 2017

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**Appeal Ref: APP/Y9507/W/17/3171346**

**Kiln Cottage, Lewes Road, Piddinghoe, BN9 9AH**

- 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 Mrs Mary Soames against the decision of South Downs National Park Authority.
  - The application Ref SDNP/16/05118/FUL, dated 12 October 2016, was refused by notice dated 5 January 2017.
  - The development proposed is barn conversion to open plan house.
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## Decision

1. I dismiss the appeal.

## Reasons

2. Within the site is a conical kiln, listed Grade II, previously used for firing brick clay. The appellant is of the view that the kiln was 'largely rebuilt' in 1982, although doubt has been expressed by the Authority over that claim. Be that as it may, sufficient of the layout is in place to fully understand the method of operation. The building retains historic and evidential significance and is a prominent feature of the Piddinghoe Conservation Area with a strong architectural significance through its distinctive shape visible above the boundary wall.
3. The appeal building is connected physically to the kiln as the wall containing the stoke-holes continues along to include part of the lower level of the appeal building. There is within that lower room a further brick arch in line with those connected with the kiln, and the remains of a curved brick wall similar to that of the lower part of a further kiln, although there is nothing conclusive in this regard. The building appears to have been closely linked operationally with the kiln that is in place. It is concluded that the appeal building should be regarded as a curtilage listed building.
4. As a result of this finding, the main issue in this appeal is the effect of the development on designated heritage assets.
5. The Lewes District Local Plan Part One: Joint Core Strategy was produced jointly by the District and the Park Authority and was adopted by the Park Authority in June 2016. Policy 11 seeks to conserve and enhance the high quality and character of towns, villages and the rural environment by ensuring all development is designed to a high standard, and to conserve and enhance the cultural heritage of the area. Saved Policies H2, H5 and ST3 of the Lewes

- District Local Plan 2003 concern the preservation of heritage assets and design generally.
6. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.
  7. The appeal building is underused and in a poor condition. Its original use ancillary to a brick firing kiln, as surmised above, is not able to be re-introduced and a new use would provide the impetus for much-needed repairs. The retention of the building as part of the history of the site is highly desirable. As a result, the proposed conversion to a beneficial residential use is acceptable in principle.
  8. However, that conversion should respect the industrial qualities of the building so that the historic and evidential significance is not lost or unduly eroded. The proposed external changes would include the opening-up of two small apertures on the south facing wall of the lower floor, which would take away the present impression of this level being an ancillary space, and would introduce an unacceptably domestic character and appearance. That finding is based on the proposed uPVC window frames being altered by condition as a minor amendment.
  9. The end wall facing the river has an interesting construction which displays the characteristics of 'bungaroosh' as referred to by the Authority; a material found historically in Brighton, not far to the west. The proposed lower level window would not unduly upset this arrangement, whilst the upper window would be a reasonable intervention to allow a view of the river. However, the blocking of the door to the projecting building would remove evidence of its separate use even if not required in the internal changes, which are however not the subject of this Decision. The addition of two rooflights would further erode the character and appearance of the building and the setting of the principle listed kiln, by introducing domestic features, although their justification for light and air may permit their use on the side further from the kiln subject to their construction.
  10. To conclude, whilst the residential conversion is acceptable in principle, as are some of the necessary interventions, and the effect on the conservation area is neutral due to lack of visibility from public places, some other of the works proposed would unduly erode the significance of the listed building and its setting. The harm, whilst 'less than substantial' in the terms of paragraph 134 of the Framework, would not be outweighed by the public benefits of bringing the building back into use and providing additional housing. For the reasons given above it is concluded that the appeal should be dismissed.

*S J Papworth*

INSPECTOR