
Appeal Decision

Site visit made on 13 December 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/U1430/D/19/3240121

**The Oast, Battle Barn Farm, New Road, Sedlescombe,
East Sussex TN33 0RL**

- 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 Michael Ashenheim against the decision of Rother District Council.
 - The application Ref RR/2019/2012/P, dated 1 September 2019, was refused by notice dated 28 October 2019.
 - The development proposed is reinstatement of oast roundel including roof and cowl, replacement of concrete tiled roof with clay tiles, demolition of existing conservatory and erection of orangery and ground floor bedroom, cladding of first floor of main barn with charred black British larch and minor alterations to fenestration.
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Decision

1. I allow the appeal and grant planning permission for reinstatement of oast roundel including roof and cowl, replacement of concrete tiled roof with clay tiles, demolition of existing conservatory and erection of orangery and ground floor bedroom, cladding of first floor of main barn with charred black British larch and minor alterations to fenestration at The Oast, Battle Barn Farm, New Road, Sedlescombe, East Sussex TN33 0RL in accordance with the terms of the application Ref RR/2019/2012/P, dated 1 September 2019 and subject to conditions 1) to 5) on the attached schedule.

Main Issue

2. This is the effect of the proposed development on the rural character and appearance of the building and its setting within the High Weald Area of Outstanding Natural Beauty.

Reasons

3. The Development and Site Allocations Local Plan was adopted on 16 December 2019 and Policies DHG9, DEN1 and DEN2 concern extensions, alterations and outbuildings; the maintenance of landscape character; and the High Weald Area of Outstanding Natural Beauty. Policy HG8 of the Rother District Local Plan which was referred to in the Reason for Refusal has been superseded.
4. Core Strategy Policy OSS4 sets out general development considerations which include respecting and not detracting from the character and appearance of the locality. Development in the countryside is the subject of Policy RA3 where extensions to existing buildings are to maintain and not compromise the character of the countryside and landscape, and Policy RA4 details

- requirements for the alteration of traditional historic farm buildings including retaining the legibility of the form. Policies EN1, EN2 and EN3 cover respectively, management of the landscape, the historic environment and design quality.
5. Paragraph 124 of the 2019 National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 lists matters that development should comply with, and Paragraph 130 states that permission should be refused for poor design. Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty as set out in paragraph 172. Whilst not referred to by the Council in the Reason for Refusal, chapter 16 sets out the policies for non-designated heritage assets, and the building seen at the site inspection should be regarded as such an asset as an unlisted building retaining some historic interest with scope for enhancement.
 6. The building was built as a single roundel oast with an attached stowage building, the latter having an external width equal to the outside diameter of the roundel, so that the side walls are an extension of the curve of the oast. It has however been subject to some harmful previous works, with an unattractive conservatory on the south side which overlaps the junction of oast and stowage building; an inappropriate replacement roof that covers the roundel as a jettied-out gable end, the original conical roof and cowl having been lost; and a flat window, lintol and area of brickwork below which has been inserted in the west end of the roundel. Numerous internal alterations have been made but these are not of concern in this unlisted building.
 7. The planning history records changes of use and the current legal position regarding occupancy, and also that there was a previous grant of permission for the refurbishment of the building including reinstatement of the roundel and cowl (Ref RR/2015/1804/P dated 22 September 2015). The development was not commenced, and the permission has now lapsed.
 8. The 2015 Officer's Report made clear that the proposals did not go as far in reinstatement as would have been preferred, and the retention of the domestic conservatory was mentioned, but the conclusion was that on balance, permission should be granted. The fact that the proposal did not include any extension was referred to and would have been a part of that balance.
 9. The present Reason for Refusal specifically mentions the effect of the proposed extension and alterations to windows, although the appellant states that the upper window was a feature of the 2015 scheme and provides various examples of modern additions to oasts in domestic use, as well as to other rural buildings; the merits of a 'wrap-around' addition are cited.
 10. Looking first at the proposed extension, this has been designed to wrap around the south-east corner of the stowage building and uses materials and a form that would not be mistaken for being part of the original construction. The projection away from the east elevation would be limited although the larger projection from the south elevation would be about the same as the original building's depth, and the appellant's quoted percentages do not provide a full appraisal of the effect. Whilst the fully glazed part to the 'orangery' would soften the impact of this size and the complete change in materials and the vertical emphasis of the Larch boarding would limit the appearance of excess

length, sitting well with the horizontal boarding to be applied to the upper floor of the original part, the addition would cause moderate harm to the legibility of the original building and its purpose. Turning to windows, the addition of one further opening at ground floor level, compared with that considered acceptable in 2015 is a minor change, and the flush link between roundel and stowage building wall allows this to be carried out successfully.

11. Considering the new development alone, were it to be carried out while retaining the previous harmful work, the conclusion would be that it would further erode the significance of the undesignated heritage asset and its setting within the High Weald Area of Outstanding Natural Beauty, and the proposal would be found contrary to local policy and national guidance.
12. However, the description of development and the drawings are clear that the complete proposal is for the reinstatement of lost features; the conical oast roof and cowl; the use of Kent peg-tiles and specials for the cone; the replacement of the flat window, lintol and brick below with curved versions; the removal of the conservatory; and an overall reduction in the numbers of windows in the building. Although there would remain a number of windows in a building that would have originally been devoid of such in the roundel and would have had only limited openings in the stowage building, converted oats are not uncommon since the need for the original use reduced, and they have been found acceptable in listed examples, let alone unlisted such as this. There would be no other mechanism for bringing about a reduction in any event.
13. The proposed works of reinstatement carry substantial weight and considerably outweigh the harm found to be caused by the proposed additions, so that as a total package of development, the legibility of the building would be enhanced and the proposal would accord with Policies DHG9 and OSS4 in the effect on the building and its setting, whilst the aims of Policy RA4 would be met by reinstating the legibility of the traditional historic farm building's form. Policies EN1, EN2, EN3, DEN1 and DEN2 would be satisfied with regard to the management of the landscape, the historic environment and design quality, and the aims stated within the Framework with regard to undesignated heritage assets and the Area of Outstanding Natural Beauty would also be met.

Conditions

14. The Council answered 'no' to sections 11a, b, c and d of the Appeal Questionnaire, and hence has not suggested any conditions. A standard commencement condition and one naming the drawings for the avoidance of doubt would be required, but the latter would not ensure that the full reinstatement works were completed. The reasoning that leads to the conclusion that only the total scheme would be acceptable and would accord with the Development Plan is predicated on the reinstatement works being carried out in full, and that does appear to be the stated aim of the appellant.
15. To ensure that the benefits are delivered and not just the harm, it is necessary to attach a condition identifying certain aspects of the development as 'essential items', to be completed according to previously submitted details, prior to the beneficial use of the extension is permitted to take place. Such conditions would be proportionate, being necessary in order to allow the development to proceed, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The works

to be identified are the reinstatement of the conical roof and cowl, the main roof finish and a window in the roundel, and the removal of the conservatory.

Conclusions

16. The proposed extension would add to the harm already caused to the building but can be justified as part of a package of measures to reinstate the lost features of this rural building, enhancing its heritage value and its setting within the Area of Outstanding Natural Beauty. Conditions listing certain parts of the development as essential to the scheme would ensure the balance lies in the grant of permission as proposed. For the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved drawing; *'Plans and Elevations 1:100 Revision A'*.
- 3) The extension hereby permitted shall not be occupied until the conical oast roof and cowl shall have been constructed and the main roof retiled, in accordance with general arrangement shown on submitted drawing *'Plans and Elevations 1:100 Revision A'* and in accordance with more detailed drawings and specifications that are to be submitted to and approved in writing by the Local Planning Authority prior to that part of the development commencing.
- 4) The extension hereby permitted shall not be occupied until the ground floor west window of the roundel has been rebuilt as a curved window with curved brickwork below, and curved supporting brickwork above, in accordance with general arrangement shown on submitted drawing *'Plans and Elevations 1:100 Revision A'* and in accordance with more detailed drawings and specifications that are to be submitted to and approved in writing by the Local Planning Authority prior to that part of the development commencing.
- 5) The extension hereby permitted shall not be occupied until the conservatory has been demolished and removed from site, in accordance with general arrangement shown on submitted drawing *'Plans and Elevations 1:100 Revision A'*.