



Appeal Decision

Site visit made on 4 May 2022

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2022

Appeal Ref: APP/C1435/D/21/3277185

Hastingford Farm Cottage, Hastingford Lane, Hadlow Down TN22 4DY

- 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 and Mrs C Ward against the decision of Wealden District Council.
 - The application Ref WD/2021/0031/F, dated 18 December 2020, was refused by notice dated 24 March 2021.
 - The development proposed is a swimming pool building and hard landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for a swimming pool building and hard landscaping at Hastingford Farm Cottage, Hastingford Lane, Hadlow Down TN22 4DY in accordance with the terms of the application, Ref WD/2021/0031/F, dated 18 December 2020, subject to the attached Schedule of Conditions.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the setting of heritage assets, and the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

Heritage

3. The appeal site is a large, detached house accompanied by a detached garage and expansive garden which includes a swimming pool. It is located next to Hastingford House, which is a Grade II listed restored 16th century or earlier two storey timber framed dwelling with plaster infilling and curved braces and tiled roof, according to its listing description. Hastingford House is accompanied by a large garden which includes a Grade II listed weatherboarded barn with hipped thatched roof at the front of the site, which dates from the 18th century or earlier, according to its listing description, and other modern outbuildings, lake and tennis court/football pitch.
4. The council claim the appeal dwelling is located on the site of an historic building which formed part of a medieval farmstead, based on an 1840s Tithe Map, which has not been provided. I note what appears to be a smaller building marked in the approximate position of the appeal dwelling on an 1878 map¹. A document presented by the appellant as a heritage statement was submitted

¹ Appendix 3 of the appellant's submissions

as part of the application, but that document fails to fully explore and assess any historic significance the appeal site may hold, its relationship with Hastingford House, or the effect of the proposal on any heritage assets. Its conclusion that the proposal would have no impact on Hastingford House is unsubstantiated.

5. The listed buildings are experienced from the highway as a dwelling and associated ancillary building, with their historic interest appreciable on account of their form, layout, materials and individual design features. They are seen from that public vantage point with clear views of landscaped gardens and a tree house to the rear. The significance of the listed buildings lies in their historic and architectural interest. Their setting includes the residential gardens to the rear and the appeal site on account of their apparent historic spatial association.
6. I have not been provided with any evidence that the grouping of all buildings at Hastingford House and the appeal site, which includes modern outbuildings, reflects the layout of an historic farmstead. There is some resemblance to the grouping of buildings which appears to be shown on the 1878 map, but it is clear that there have been substantial changes to the layout of the farmstead with the exception of Hastingford House and its barn. The layout of those listed buildings is reflective of that historic arrangement, but the appeal site appears as a separate residential plot with a modern substantial dwelling, driveway leading to a detached garage, and large garden and swimming pool to the rear.
7. The existing form and design of the appeal dwelling does not suggest to me that it has historic interest, but this has not been fully investigated by the appellant. Based on the information before me, it appears that the appeal site historically formed part of a medieval farmstead, and it forms part of the setting of the listed buildings at Hastingford House. However, the appeal dwelling and site no longer read as part of an historic farmstead and the tight knit grouping of historic and modern buildings are not indicative of the medieval farmstead referred to by the council. The collective arrangement of buildings and gardens at Hastingford House and the appeal site does not appear to contribute to the significance of the heritage assets.
8. The proposed building would be separated from the listed buildings by a significant distance, with intervening boundary planting. It would not be seen from immediately adjacent to the listed buildings. Restricted views of it would likely be available from parts of the rear garden of Hastingford House, which extends a further distance to the east than the appeal site, with a large tennis court or football pitch visible from the south.
9. The proposed building would be of a significant size, but it would remain commensurate to that of the appeal dwelling and gardens, both of which are substantial. It would be located alongside the swimming pool, towards the end of the rear garden of the appeal site and close to an agricultural store in a neighbouring field. In this position, the proposed single storey building would not compete with the hierarchy of significantly larger buildings at the appeal site and Hastingford House, and nor would it mar the appreciation of those buildings within the wider landscape, which I shall address further below.
10. Notwithstanding the absence of a suitably detailed heritage statement, the proposed development would have a neutral effect on the setting of the Grade II listed buildings at Hastingford House and would not harm their significance,

which would be conserved, in accordance with Policy SPO2 of the Wealden Core Strategy Local Plan (2013) and the National Planning Policy Framework. These require, amongst other things, that the intrinsic quality of the historic environment is protected, and that great weight should be given to the conservation of heritage assets.

AONB

11. The appeal site is located within a rural area and although I have not been provided with any descriptions of the special qualities or characteristics of the AONB, I could see the natural beauty of the surrounding area includes rolling countryside with tree lined fields interspersed with lanes and small clusters of residential and agricultural buildings. Land levels immediately south of the appeal site appear to be somewhat higher, and rise further to the south, beyond a thick hedge which marks the southern boundary of the appeal site. There are more open views from the appeal site into a field to the east, the eastern boundary of which is made up of tall trees.
12. The proposed single storey building, with a pitched roof and glazed gables on its northern and southern elevations, would be seen in views from the neighbouring garden of Hastingford House and the fields immediately south and east of the appeal site. Views from further afield would appear to be extremely limited due to the low height of the proposal, the undulating landscape, and the thickly planted field boundaries. It does not appear that there would be any views of the proposal from the public footpaths described in the council's officer report on account of the distances involved and intervening vegetation.
13. In all views, the proposal would be seen in the context of the gardens of the appeal site and Hastingford House, including their existing outbuildings and other distinctly domestic features. Its single storey height and simple design with verandas, and its position alongside an existing swimming pool and plant house, would mark it out as a domestic outbuilding associated with the appeal dwelling.
14. Therefore, although the proposed building would be visible in short views from the north, south and east of the appeal site, its design would be sympathetic to its location within a residential garden adjacent to open fields. Its appearance as a domestic outbuilding serving a substantial house and gardens would not affect the appreciation of the grouping of historic buildings, views of which would be limited from the wider landscape.
15. The proposed building would not harm the character and appearance of the area and would not be out of keeping with the large residential garden. It would therefore preserve the rural landscape character and natural beauty of the AONB and would accord with Policies EN1, EN27, DC19 and HG10 of the Wealden Local Plan (1998). These require, amongst other things, the scale, site coverage and design of development to respect the character of surroundings and to not be intrusive in the landscape or detrimental to rural settings. Policy DC19 also requires proposals to be of an appropriate size and character to the dwelling and to not visually dominate or harm the character of existing groups of buildings.

Conditions

16. A condition requiring the commencement of development within the relevant timeframe is necessary, as is a condition identifying the approved plans, in the interests of clarity. Limited details have been provided as to the timber and tiled finishes of the proposed building and it would therefore be reasonable and necessary to require further details of external finishes before the commencement of development to ensure they are appropriate for this location.
17. The proposal would involve the loss of some ornamental planting around the swimming pool, but it would not affect the existing planting along the southern boundary of the appeal site. Although I have found the proposal would not harm the landscape character or natural beauty of the AONB, it would be appropriate to require the approval and implementation of a landscaping scheme to accompany the proposal, which could include planting along part of the eastern boundary of the appeal site. This would offer the opportunity for the proposal to enhance the natural beauty of the AONB and help the proposed building integrate with its surroundings, following the removal of existing planting.
18. No drainage details have been provided as part of the proposal, but there is no information before me which suggests either foul sewerage or surface water run-off associated with the proposal would be likely to create any planning issues. Considering the advice of the Framework, that planning conditions should be kept to a minimum and only used where they meet the tests set out at paragraph 56, I do not consider a condition requiring the approval of drainage details would be reasonable or necessary in this instance.
19. As a swimming pool building with seating, dining and study/office areas within the rear garden of, and closely related to, the appeal dwelling, there would be no need for a condition specifying that it should be used for ancillary purposes. Any future material change of use of the proposed building to a non-ancillary use would require planning permission.

Conclusion

20. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

L Douglas

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2020/082/PL2 Revision A, P1297 1, P1297 2.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until there has been submitted to and approved in writing by the local planning authority a scheme of soft landscaping.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.