
Appeal Decision

Site visit made on 25 October 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2022

Appeal Ref: APP/U1430/D/22/3299315

Boarsney, The Stage, Silverhill TN32 5SR

- 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 M Westmoreland-Smith against the decision of Rother District Council.
 - The application Ref RR/2021/2587/P, dated 19 October 2021, was refused by notice dated 25 February 2022.
 - The proposed development is for external alterations to include glazing to the elevations, a replacement external staircase and balcony, a new log burner and external BBQ/Pizza Oven area.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 7th November 2022.

Decision

1. The appeal is allowed and planning permission is granted for external alterations to include glazing to the elevations, a replacement external staircase and balcony, a new log burner and external BBQ/Pizza Oven area at Boarsney, The Stage, Silverhill TN32 5SR in accordance with the terms of the application, Ref RR/2021/2587/P, dated 19 October 2021, subject to the following 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: 3588-01A, 3588-04, 3588-05A.

Scope of decision

2. The scope of my decision is limited to dealing solely with the Council's refusal to grant the development for external alterations as set out in the description to the original application. Conditions imposed on a previous permission - and any potential variation or removal - are matters between the main parties and over which, under the specific terms of reference of the appeal before me, I have no jurisdiction.

Main Issue

3. The main issue is the effect of the development on the character of the building and the surrounding area, including the High Weald Area of Outstanding Natural Beauty (AONB) and the setting of the Listed Building known as Boarsney Farmhouse.

Reasons

4. The appeal site relates to a detached, Grade II listed farmhouse sited on the southern side of The Stage with a driveway and off-street parking to the side. The outbuilding the subject of this appeal lies in the rear garden. The surrounding area comprises open countryside.
5. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when assessing proposals for new development which affects the setting of a listed building, special attention shall be paid to the desirability of preserving its setting. Paragraph 199 of the National Planning Policy Framework advocates that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
6. Amongst other things, the proposal is for external alterations to the barn to include glazing to the east and west elevations. Whilst I observed that the existing building is of a traditional appearance, I am aware that it was constructed in the 1990s and there is no historic fabric therein. The barn is also located adjacent to a swimming pool and hardscaped terrace with outdoor seating.
7. In this context I consider that the proposal would not result in material harm to the character of the building. The glazing might be deemed to represent a more contemporary approach, however the barn in itself does not have any special architectural or historic interest. To my mind the scheme would be in keeping with the adjoining entertainment area where the pool and seating are situated.
8. Given the distance from the listed building and the ancillary nature of the outbuilding, the proposed development would not adversely impact on the setting of the listed building. The significance of the heritage asset would not therefore be materially affected by the proposal.
9. The barn is of modest proportions and the extent of glazing would ensure that dissipation of light to the surrounds would be relatively localised. I saw that there is a brick wall next to the pool which partially screens this part of the curtilage from views across the local landscape, and this would mitigate the effects of the scheme upon the wider AONB.
10. The Council does not object to the introduction of the replacement external staircase and balcony, the new log burner and external BBQ/Pizza Oven and I have no reason to disagree, The various elements would not detract from the character of the site and are acceptable in terms of their design and scale.
11. I conclude that the scheme would not result in harm to the character of the building and the surrounding area, including the AONB and the setting of the

Listed Building known as Boarsney Farmhouse. It would meet Policies DHG9, DEN1, DEN2 and DEN7 of the Rother District Council Development and Site Allocations Local Plan (2019) and Policies EN1, EN2 and EN3 of the Rother Local Plan Core Strategy (2014). Taken together, these seek to secure new development of acceptable scale and appearance that conserves heritage assets and the character of the landscape. It would also be consistent with the advice in the National Planning Policy Framework, which state that good design is a key aspect of sustainable development, and the National Design Guide that refers to characteristics that contribute to good development.

Conditions

12. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning, although I have omitted reference to the proposed internal floor plans as these works are not set out in the description and would relate to conditions imposed on a previous permission, which as I outlined above is a matter between the main parties.

Conclusion

13. Based on the preceding, the appeal is allowed.

C Hall

INSPECTOR