



Appeal Decisions

Site visit made on 21 February 2023

by Jo Dowling BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd March 2023

Appeal A Ref: APP/C1435/W/22/3294041

Spring Hill Stables, Priory Road, FOREST ROW, RH18 5HT

- 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 Stuart Korth against the decision of Wealden District Council.
 - The application Ref WD/2021/2495/F, dated 22 September 2021, was refused by notice dated 21 January 2022.
 - The development proposed is small side extension to existing converted stable block.
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Appeal B Ref: APP/C1435/Y/22/3294081

Spring Hill Stables, Weir Wood, FOREST ROW, RH18 5HT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Stuart Korth against the decision of Wealden District Council.
 - The application Ref WD/2021/2498/LB, dated 13 October 2021, was refused by notice dated 21 January 2022.
 - The works proposed are small side extension to existing converted stable block.
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Decision

1. These appeals are dismissed.

Preliminary Matters

2. The reason given by the Council for refusing listed building consent (Appeal B) states that '*the proposals would therefore be contrary to Spatial Planning Objective, coupled with...*'. However, I note that the spatial planning objectives (SPO) contained within Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan (2013)(the Core Strategy) are numbered. Having reviewed the Officer's report and the Council policies submitted with the appeal I consider that the decision notice should have referred to policy SPO2 which deals with the historic environment. I have therefore considered the appeal on this basis.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of Spring Hill Stables and the surrounding area; and
 - whether the proposal would preserve the setting of a Grade II listed building, Mudbrooks House, and any features of architectural and historic interest that it possesses.

Reasons

4. The appeal property forms part of a converted stable block which is one of a cluster of buildings located at the very end of Priory Road that used to make up Spring Hill Farm. Mudbrooks House (formerly Spring Hill Farmhouse) located to the east of the Spring Hill Stables is a grade II listed building. Built in the late 16th/ early 17th Century it is a two storey stone building with a half hipped gable ended slate roof which features two prominent chimney stacks. The site is located in open countryside within the High Weald Area of Outstanding Natural Beauty (AONB).

Effect on character and appearance

5. The site falls outside of any of the defined development boundaries within the High Weald AONB as defined by the saved policies of Wealden Local Plan (1998) (the Local Plan). Saved policy GD2 of the Local Plan states that outside of development boundaries development will be restricted unless it accords with specific policies of the plan. Saved policy EN6 seeks not just to conserve or enhance the natural beauty of the AONB but also its character and advocates the need to have regard to traditional settlement patterns and building styles. Saved policies EN27 and DC19 advocate that proposals should respect the character of adjoining development, should not be intrusive in the landscape or detrimental to the rural setting and not visually dominate or otherwise adversely change the character of the existing building or group of buildings.
6. Spring Hill Stables forms part of a small cluster of rural buildings that nestle in a dip at the end of Priory Road. Whilst they no longer form one unit the buildings and site have been sensitively converted and sub-divided. When viewed from the public footpath and access track the former stables has a strong linear form and still retains its appearance as a contemporaneous ancillary outbuilding to Mudbrooks House.
7. The proposed side extension would be of a contemporary design and would be located on the western elevation of the former stable block adjacent to the access. The extension would have a rectangular form with a flat sedum roof. A subordinate partially glazed link structure would fill the gap between the extension and the stable block providing a new external access. The extension would be constructed of brick and would have a blank western façade.
8. Due to its proposed location and strong contemporary design I consider that the proposed extension would be visually prominent and out of character. As a result it would, in my opinion, appear as an awkward and unsympathetic addition detrimental to the setting of the existing group of buildings and the wider rural setting.
9. As a result, in addition to being contrary to the saved Local Plan policies set out above I consider that the proposal would be contrary to policies SPO1, SPO2 and SPO13 or the Core Strategy which encourage good design and seek to protect the districts landscapes and heritage assets. Policy WSC14 states that whilst there is a presumption in favour of development this is unless specific policies in the National Planning Policy Framework (the Framework) indicate that development should be restricted. Given the emphasis placed in the Framework on good design (paragraphs 126 and 134) and the great weight given to conserving protected landscapes (paragraph 176) and heritage assets

(paragraphs 197, 199 and 200) I do not consider that the proposal would comply with policy WSC14.

Effect on the setting of a Grade II listed building

10. Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires that when considering a proposal that would affect a listed building or its setting special regard needs to be given to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
11. The Framework defines Listed Buildings as a designated heritage asset and defines the setting of a heritage asset as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset.'*¹.
12. The Planning Practice Guidance (the Guidance)² provides further clarification by advising that as setting is the surrounding in which an asset is experienced this can be more extensive than its curtilage. However, the Guidance also advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which the proposed changes enhance or detract from that significance and the ability to appreciate it. Whilst setting is often expressed by reference to visual considerations it can include other factors such as the historic relationship between places.
13. Finally, the Framework advocates that great weight should be given to the asset's conservation, the more important the asset, the greater the weight it should be given³.
14. I accept that the proposed extension has been designed to be as small as possible. Furthermore, I note the design approach to intentionally contrast the design of the extension with the original form of the stables and to create a utilitarian façade that mimics the appearance of a garden wall and reflects the design and materials of existing outbuildings. I also acknowledge that the proposed extension might not be directly visible from Muddbrooks House.
15. However, I observed on my site visit that, particularly when viewed from the public footpath and the access track, Spring Hill Stables appears as an outbuilding and forms an important element in the historic setting for Muddbrooks House. The proposed extension would partially obscure the western elevation of Spring Hill Stables, including elements of the original timber framing. As a result due to its design, materials, massing and detail the extension would, in my opinion, be out of character to the existing building and the group of historic buildings of which it forms part. In my view the harm to significance would be less than substantial and where this is the case paragraph 202 of the Framework says that such harm should be weighed against the public benefits of the proposal.
16. I recognise that the proposed extension would enable the provision of an extended element of self-contained accommodation within the building to meet

¹ Annex 2: Glossary of the Framework

² Paragraph: 013 Reference ID: 18a-013-20190723

³ Paragraph 199

the needs of the different occupiers. I am also aware that the Appellant has explored alternatives suggested by the Council, such as extending to the north, but does not consider that these are feasible. However, I note that the area to be extended is already self-contained and as a result, albeit in a smaller format, provides separation for the various occupiers. As a result I do not consider that the extension is needed in order to enable the building to continue to be used as a dwelling. Therefore, I consider that the benefits that the proposed extension would provide would be limited and would be insufficient to outweigh the harm to the setting of Mudbrooks House.

17. As a result I consider that the works would fail to preserve the setting of Mudbrooks House for which a clear and convincing justification has not been provided. The works would therefore not comply with the requirements of section 16(2) of the Act, the guidance contained within the Framework and Guidance and policy SPO2 of the Local Plan which seek to protect and enhance designated heritage assets and their setting.

Other Matters

18. Reference has been made to an existing conservatory at the appeal property as setting precedent for the proposed development. Having viewed the structure I consider that it is perceived in a different visual context to the proposed development and therefore does not lead me to a different conclusion in this case.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Jo Dowling

INSPECTOR