



Appeal Decisions

Site visit made on 6 June 2023

by **S M Holden BSc (Hons) MSc CEng MICE CTPP FCIHT MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 June 2023

Appeal A Ref: APP/U1430/W/22/3304343

Lark Cottage, 3 Oast Cottages, Great Maxfield, Eighteen Pounder Lane, Three Oaks, Guestling, Hastings TN35 4NU

- 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 Dr E Newton & Dr M Larkin against the decision of Rother District Council.
 - The application Ref RR/2022/468/P, dated 24 February 2022, was refused by notice dated 16 May 2022.
 - The development proposed is a single storey rear extension and addition of safety guard rail in rear garden.
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Appeal B Ref: APP/U1430/Y/22/3304344

Lark Cottage, 3 Oast Cottages, Great Maxfield, Eighteen Pounder Lane, Three Oaks, Guestling, Hastings TN35 4NU

- 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 Dr E Newton & Dr M Larkin against the decision of Rother District Council.
 - The application Ref RR/2022/469/L, dated 24 February 2021, was refused by notice dated 16 May 2021.
 - The works proposed are a single storey rear extension and addition of safety guard rail in rear garden.
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Decisions

1. **Appeal A** is allowed and planning permission is granted for a single storey extension and addition of safety guard rail in rear garden at Lark Cottage, 3 Oast Cottages, Great Maxfield, Eighteen Pounder Lane, Three Oaks, Guestling, Hastings TN35 4NU in accordance with the application Ref: RR/2022/468/P, dated 24 February 2022, subject to the conditions in the attached schedule.
2. **Appeal B** is allowed and listed building consent is granted for a single storey extension and addition of safety guard rail in rear garden at Lark Cottage, 3 Oast Cottages, Great Maxfield, Eighteen Pounder Lane, Three Oaks, Guestling, Hastings TN35 4NU in accordance with the application Ref: RR/2022/469/L, dated 24 February 2022, subject to the conditions in the attached schedule.

Preliminary Matter

3. The two appeals concern the same scheme under different, complimentary legislation. I have dealt with them together in my reasoning.

Main Issues

4. The main issues are:

- a) In relation to both appeals: whether the proposed works and development would preserve 1,2 and 3, Oast Cottages and The Oast House, a Grade II listed building or any feature of special architectural or historic interest that it possesses;
- b) In relation to appeal A: the effects of the extension on the living conditions of the occupant of No 2.

Reasons

Appeals A and B: Effects on the listed building

Significance

5. Lark Cottage, 3 Oast Cottages, is part of a former granary and oast house dating from the early 19th century which is Grade II listed. Its significance derives from its history, architecture and use as part of the dispersed, multi-yard, isolated historic farmstead of Great Maxfield which dates from the 14th century. Despite the domestication of the building, it is a tangible remnant of the agricultural landscape of the 19th century High Weald.
6. The granary building was converted into 3 cottages in the 20th century, prior to its listing in 1987. This has domesticated its appearance with the introduction of front porches, dormer windows, casement windows and modern doorways, including full height patio doors. There have also been some ad-hoc rear extensions which are of no architectural merit. Notwithstanding these alterations, the agricultural character and historic legibility of the building has been retained. They are readily apparent due to the mass and scale of the building, considered in its entirety.

Assessment

7. Lark Cottage is the dwelling immediately adjoining one of the two roundels of the former oast. Part of its round brick wall encloses the small rear courtyard at the back of the house and partially intrudes into the outlook from the kitchen. The proposal is for a small flat roofed extension which would project approximately 1.5m beyond the existing rear elevation and occupy the area between the fence marking the boundary with No 2 and Lark Cottage's back door. Nevertheless, a gap would be retained between the roundel and the corner of the extension. This would be comparable with the existing gap between the roundel and the concrete wall that separates it from the steeply sloping ground to the rear.
8. The proposal would comprise a brick wall adjacent to the boundary fence with No 2 but would otherwise be a lightweight construction with fully glazed panels. It would be subordinate in scale to the existing cottage and a minor addition to the rear of the former granary. Its translucent appearance and the retention of the gap between it and the roundel would ensure that it would not detract from the mass or character of the oast, or the former granary. There would be no loss of any historic fabric, as the only amendment to Lark Cottage would be the removal of the existing modern patio doors.

9. I acknowledge that the proposal would add another extension at the rear of the building which has already been extended following its sub-division into dwellings. However, each is a separate addition and subordinate to the building when read as a whole. Even when considered cumulatively with other extensions, including the porch recently added to the oast, I am not persuaded that the addition of the appeal proposal would adversely impact on the intrinsic character of the building, or the rural character of its setting. Its original typology would remain apparent thereby preserving its significance.
10. The extension would not be visible from any public viewpoint. Neither would it suburbanise the countryside given its location within the narrow, steeply sloping gardens that have been created at the back of the granary following its conversion to a series of small cottages in the 1970s. From the upper part of the garden, the distinctive building typology of the oast and its associated granary would remain the dominant impression of the building.
11. The Council was satisfied that the safety railings to enclose the terrace would not adversely affect the significance of the building as a heritage asset. I agree that this element of the scheme is acceptable.
12. For these reasons, I find that the proposal would not harm the significance of the Oast House and 1-3 Oast Cottages as a former agricultural building in the High Weald. Neither would there be any adverse effect on its setting. In avoiding harm, I therefore conclude that the proposal is acceptable. It would preserve the special architectural and historic interest of this Grade II listed building, in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990. I am also satisfied that there would not be any conflict with paragraph 199 of the Framework which states that great weight should be given to conserving a designated heritage asset's significance.
13. In addition, the scheme would comply with Policies EN2, EN3 and RA4 of the Rother Core Strategy 2014 (CS) and Policy DHG9 of the Development and Site Allocation Plan 2019 (DSAP). These policies, amongst other things, require proposals to be based on an understanding of the significance of the building and to ensure that development preserves the legibility, character and quality of locally distinctive vernacular buildings.

Appeal A: Living conditions

14. The proposal would increase the height of the boundary between No 2 and Lark Cottage. However, this is already marked by a substantial close boarded fence. The increased height would therefore have a minimal effect on the light reaching the kitchen window of this adjoining dwelling. Neither would it unduly increase any sense of enclosure.
15. Having seen the relationship between the windows within the roundel and the terrace I am satisfied that the outlook from this adjoining dwelling would not be adversely affected.
16. I therefore conclude that the proposal would not harm the living conditions of the occupants of either adjoining property. It would comply with Policy OSS4(ii) of the CS and DHG9(i) of the DSAG which seek to protect neighbours from unreasonable loss of light or outlook.

Conditions

17. The Council has not suggested any conditions to be considered should the appeal be allowed. However, in addition to the standard time limit I have imposed a condition to specify the plans in the interests of certainty. A materials condition is not required as the materials to be used are shown on the plans and set out in the application form.

Conclusion

18. For the reasons set out above, I conclude that both appeals should be allowed.

Sheila Holden

INSPECTOR

Schedule of conditions

Appeal A: APP/U1430/W/22/3304343

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:
 - a. Location site/block plan Drawing no. 6810/LBP/A dated July 2021
 - b. Proposed floor plans & elevations Drawing no 6810/22/1 dated February 2022.

Appeal B: APP/U1430/W/22/3304344

1. The works hereby permitted shall begin not later than 3 years from the date of this decision.
2. The works hereby permitted shall be carried out in accordance with the following approved plans:
 - a. Location site/block plan Drawing no. 6810/LBP/A dated July 2021
 - b. Proposed floor plans & elevations Drawing no 6810/22/1 dated February 2022.