



Appeal Decisions

Site visit made on 5 June 2023

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2023

Appeal A Ref: APP/C1435/W/22/3304899

Hempstead Oast, Hempstead Lane, Uckfield TN22 3DL

- 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 Anna Carmichael against the decision of Wealden District Council.
 - The application Ref WD/2021/1253/F, dated 11 May 2021, was refused by notice dated 19 July 2022.
 - The development proposed is a single storey rear extension to house and conversion of attached garaging to residential annexe with associated works.
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Appeal B Ref: APP/C1435/Y/22/3304929

Hempstead Oast, Hempstead Lane, Uckfield TN22 3DL

- 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 Anna Carmichael against the decision of Wealden District Council.
 - The application Ref WD/2021/1254/LB, dated 11 May 2021, was refused by notice dated 19 July 2022.
 - The works proposed are a single storey rear extension to house and conversion of attached garaging to residential annexe with associated works.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. These decisions address both planning permission and listed building consent appeals for the same site and for the same scheme. Although the regimes are separate, given the commonality between the subjects and to reduce repetition, I have dealt with both appeals together.

Main Issues

4. The main issues are:
 - whether the proposal would preserve the Grade II listed building, Hempstead Oast¹, and any features of special architectural or historic interest that it possesses

¹ List entry number: 1353517. The list entry name is given as: The Oast House.

- the effect on the setting of the Grade II* listed building, Hempstead Manor Farmhouse (also known as Hempstead House)².

Reasons

Listed building

5. Hempstead Oast consists of a long two storey front range with a shorter two storey range at right angles to the rear, and three former hop kilns. To the east end is attached an open fronted cartshed, now used for domestic garaging and storage. Originally forming part of Hempstead Manor Farm, the building was converted to a dwellinghouse in the 1930s and stands in its own grounds with a separate driveway.
6. It has a complicated history as detailed in the historic building assessment accompanying the proposal. Originally timber framed but later encased in brick around the mid-C18, it is likely to have been used as a malthouse or oasthouse ancillary to the farmstead. There is some evidence that the western end of the main range and the northern range were used as hop kilns, with the remainder of the building used for storage.
7. The architectural detailing on the front elevation, including brick pilasters, stone surrounds to some openings, roundels and quoins is certainly very unusual for such an agricultural building and may signify that for at least part of its life it was used for other purposes such as servants' quarters, or stables. At the time it would have been seen in conjunction with Hempstead House and the elaborate detailing may have been added to enhance the latter building's setting.
8. By the mid-C19, it was in use again as an oasthouse, with three circular hop kilns added to the rear. It is likely that the rear range was raised and reroofed at this time, and the open fronted cartshed added. These mid-C19 additions are roofed in slate, unlike the earlier ranges which are tiled. Conversion to a dwellinghouse in the 1930s resulted in internal changes, the insertion of most of the current window and door openings and a small toilet extension at the rear.
9. The significance and special interest of the building lies in its past uses – in particular that linked to hop drying, the architectural detailing, its historic fabric and its association with Hempstead House. It has had a varied history, with much of the interior changed and windows inserted as part of the residential conversion, but it still retains its simple overall form and sense of its past purpose as an oasthouse. The external brickwork which forms part of the building's historic fabric, although altered in parts, makes an important contribution to its significance and special interest due to its age and use of different bonding patterns.
10. The proposed rear extension would obscure much of the brickwork on the eastern half of the rear elevation of the main range, and the eastern side elevation of the smaller northern range. I acknowledge that these walls would largely remain exposed internally. Moreover, sightlines through the mainly glazed elevations would be possible. However, the use and form of this space as a sun lounge, with accompanying furniture and furnishings, would add clutter in front of the walls and severely erode the ability to appreciate their

² List entry number: 1028392

significance from the rear of the property. As such, the proposal in this respect would materially harm an important part of the significance of the listed building.

11. The design of the extension as a glazed, partly flat roofed structure would also be at odds with the brick, pitched roof forms of the main ranges and circular hop kilns. Occasionally, modern buildings can sit comfortably alongside older structures where they are visually separate and distinct. However, that is not the case here, where the extension is designed to form part of the building and a continuation of the living space. The difference in form, design and materials would, in my view, appear discordant when seen in the context of the traditional form and materials of the existing building.
12. The proposal would require the removal of two ground floor windows and a section of brick wall in the northern range, and a wide ground floor window in the rear elevation of the main range. Based on the detailed historic building assessment that was undertaken on behalf of the appellant, I am satisfied that the windows are of C20 date and therefore their removal would not result in the loss of historically important fabric. That is not the case with the loss of the section of wall, which is probably amongst the earliest brickwork in the building. That would be a small but nevertheless adverse consequence of the proposed works. The fact that it is currently partly obscured by kitchen fittings and the toilet extension does not lessen its historic or architectural value.
13. The proposal also consists of the conversion of the attached cartshed/garage to a residential annexe. Following receipt of amended plans during consideration of the applications, the Council is satisfied with the proposal for the residential annexe and raises no objection to this element of the scheme. The glazing at the front and rear would retain the large openings of the existing cartshed. The insertion of a door, window and roof lights would require the loss of some fabric, but the structure is later than the original building, and there is evidence that there was a doorway in the main range, that would be reopened. I agree with the Council that the changes proposed to the cartshed/garage would have a neutral impact on the significance and special interest of this part of the listed building.
14. The proposal would also include the removal of the small C20 toilet extension at the rear. This is not important historically, and I agree with the appellant that its removal would be of modest benefit in revealing the significance of the listed building better by removing an incongruous addition and revealing a little more of the historic brickwork.
15. I am required by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest that it possesses. I conclude that the extension would cause harm to the significance and special interest of the listed building by obscuring historically important brickwork, introducing an extension of discordant design, and resulting in the loss of a small amount of historic fabric.
16. The conversion of the cartshed/garage would have a neutral impact on the special interest/significance of the listed building. Removal of the toilet extension would result in a modest benefit to the significance of the listed building. However, the amount of additional brickwork exposed by its removal would be small in comparison with the amount of brickwork obscured by the

proposed extension. Likewise, the small benefit from removing the toilet extension as an incongruous addition to the listed building would be more than cancelled out by the addition of a much larger incongruous addition in the form of the proposed extension. Overall, the proposal's impact would fail to preserve the special architectural and historic interest of the listed building contrary to the expectations of the Act.

17. Taking into account all of the above I conclude that the harm caused to the listed building would be, in the language of the National Planning Policy Framework (the Framework), less than substantial. In those circumstances, paragraph 202 of the Framework says that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. I return to this matter below in my conclusion.

Setting of Hempstead House

18. Hempstead House, addressed as Hempstead Manor Farmhouse in the list description, lies to the south of the appeal site. It is a timber framed C15 building with later alterations, refronted in the early C19 with brickwork and weatherboarding. Although originally a small manor house, it later was used as the principal farmhouse to Hempstead Manor Farm. Its significance and special interest lies in its age, rich internal and external architectural detailing, and position as the central dwelling on a substantial farm holding.
19. Hempstead Oast was an ancillary farm building to Hempstead Manor Farm. As noted in the historic building assessment, its unusually ornate detailing may have been added to enhance the standing of Hempstead House, and the two buildings would have been seen in the same views. Historically, Hempstead Oast was therefore linked in both functional terms as the oasthouse for the farm and also visually as one of its principal ancillary buildings. As such, Hempstead Oast can be treated as forming part of the setting to Hempstead House.
20. However, conversion of Hempstead Oast to a dwellinghouse separated the building from Hempstead House and the wider farmstead in terms of its use. It is now also functionally and visually separated from the setting of Hempstead House by boundary treatments around its grounds and by having a separate access and driveway. Although the buildings remain in proximity to one another, the intervening landscaping means that the two can no longer be seen in the same views. Historically, Hempstead Oast retains an association with Hempstead House, but in visual terms it no longer plays a supporting role. As a result, the significance/special interest of Hempstead House is now mainly experienced from within its immediate context.
21. Moreover, the proposed single storey extension on the rear of Hempstead Oast would be even further removed from Hempstead House. Even if the intervening landscaping were to be removed, which is very unlikely, it would not be visible from that property. Conversion of the cartshed/garage would likewise not be seen from Hempstead House or its grounds. Having regard to these factors, neither element of the proposal would have any material impact on the ability to appreciate the setting of Hempstead House. In terms of sections 16(1) and 66(2) of the Act, it would preserve the latter heritage asset, because it would have a neutral impact on the contribution that setting makes to its special interest.

Conclusion

22. I understand the benefits to the appellant of having an enlarged living space and easier level access through the house and proposed annexe. However, those are essentially private rather than public benefits, which are designed to meet the needs of the appellant's family rather than preserve the significance and special interest of the listed building. The absence of such a space does not indicate to me that the continued viable use of the property as a dwellinghouse, with or without the annexe, would be seriously threatened.
23. The appellant has argued that provision of the annexe would obviate the need for similar accommodation elsewhere and therefore is of public benefit in reducing demand for such accommodation. While that may be the case, it would represent a very modest reduction compared to the demand for housing in the district. The annexe would not be a separate dwelling, and it would not affect the overall housing stock in terms of numbers. I therefore give this benefit limited weight.
24. There would also be an economic benefit to the building professions from construction of the extension. That benefit would be temporary in nature and therefore limited in its extent.
25. Even though I have found the harm to the listed building would be less than substantial, it nevertheless attracts great weight by virtue of paragraph 199 of the Framework. The limited weight of the public benefits I have identified in this case, taken individually or collectively, do not outweigh the great weight attributed to the harm to the listed building.
26. It would for the same reasons conflict with Spatial Planning Objective SPO2 of the Wealden District Core Strategy Local Plan 2013 and Policies DC19 and HG10 of the Wealden Local Plan 1998, which require that the intrinsic quality of the historic environment is protected. The proposal would therefore conflict with the development plan when taken as a whole.
27. For the above reasons, I conclude that both appeal A and appeal B should be dismissed.

Guy Davies

INSPECTOR