



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: 10 July 2023

Appeal A Ref: APP/C1435/W/22/3308382

The White House, Rushlake Green, Heathfield TN21 9QD

- 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 Mrs J Brown against the decision of Wealden District Council.
 - The application Ref WD/2022/0363/F, dated 14 February 2022, was refused by notice dated 25 July 2022.
 - The development proposed is the refurbishment of existing garage.
-

Appeal B Ref: APP/C1435/Y/22/3308392

The White House, Rushlake Green, Heathfield TN21 9QD

- 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 Mrs J Brown against the decision of Wealden District Council.
 - The application Ref WD/2022/0364/LB, dated 14 February 2022, was refused by notice dated 25 July 2022.
 - The works proposed are the refurbishment of existing garage.
-

Decisions

1. Appeal A is allowed and planning permission is granted for refurbishment of the existing garage at The White House, Rushlake Green, Heathfield TN21 9QD in accordance with the terms of the application Ref WD/2022/0363/F, dated 14 February 2022 and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: 03D site/location plan; 18 existing shed plans and elevations; 17A proposed shed plans and elevations.
 - 3) Notwithstanding condition 2, prior to the commencement of development a schedule and samples of external materials indicating types, colours and finishes of walls, roof, doors, guttering and downpipes, and drawn sections to show eaves profile, lapping and finish of the wall cladding, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
2. Appeal B is allowed and listed building consent is granted for refurbishment of existing garage at The White House, Rushlake Green, Heathfield TN21 9QD in accordance with the terms of the application Ref WD/2022/0364/LB, dated 14 February 2022 and subject to the following conditions:
 - 1) The works hereby granted consent shall be carried out no later than 3 years from the date of this decision.

- 2) Notwithstanding the details shown on the submitted plans, prior to the commencement of the works, a schedule and samples of external materials indicating types, colours and finishes of walls, roof, doors, guttering and downpipes, and drawn sections to show eaves profile, lapping and finish of the wall cladding, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Preliminary Matters

3. The planning and listed building appeals relate to the same scheme. The remits of the legislative regimes dealing with these aspects are different. However, to avoid repetition I have dealt with both appeals together unless otherwise noted in this decision letter.
4. In its reason for refusal the Council says that the proposal fails to demonstrate that an adequate assessment of significance has taken place, or provide a basis for assessing harm. Paragraph 194 of the National Planning Policy Framework (the Framework) says that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. In this case I am satisfied that I have sufficient information on which to make reasoned decisions on the matters before me.
5. Reference is made in the Council's decision notice to the High Weald Area of Outstanding Natural Beauty Management Plan 2019-2024 and Historic England Advice Note 12. I have not been provided with copies of these documents, although I am familiar with the latter advice note. While no doubt of interest, they do not form part of the development plan, to which I have had regard. I consider that I am able to reach decisions on the appeals without reference to this supporting material.

Main Issues

6. The main issues are whether the proposal would preserve the settings of the Grade II listed buildings The White House¹ and The Bakery² or any features of special architectural and historic interest that they possess, whether the proposal would preserve or enhance the character or appearance of the Rushlake Green Conservation Area, and its effect on the cultural heritage of the High Weald Area of Outstanding Natural Beauty.

Reasons

7. The White House and The Bakery are both white painted, slate and tile roofed buildings. Their significance and special interest lie in their simple plan forms and materials, previous uses as local shops and the contribution they make to the grouping of vernacular buildings around Rushlake Green. Brecon, which is attached to The Bakery and forms part of the same listing, is also painted white with a tiled roof.
8. Rushlake Green Conservation Area covers the triangular open space of Rushlake Green, the buildings around it, and other buildings of architectural and historic interest lying to the north and south. Its significance lies in its

¹ List entry number: 1284030, list entry name - The Old Stores

² List entry number: 1043045, list entry name - Brecon J E Russell (Tobacconist and Confectioner)

simple layout with a range of vernacular buildings fronting onto the Green, views out from the Green of the surrounding countryside seen between the buildings and its quiet, rural atmosphere. As a small, traditional village in a countryside setting, it contributes towards the cultural heritage of the High Weald Area of Outstanding Natural Beauty.

9. Within the curtilage of The White House and fronting Rushlake Green is an outbuilding, subject of the appeals. It is clad in corrugated steel sheeting, painted black, on a lightweight timber frame with brick plinth, dating from around late C19/early C20. The outbuilding has historical associations with both listed buildings, and it is a traditional form of outbuilding in the village streetscape, providing ancillary storage space.
10. The White House, The Bakery and the outbuilding are experienced as a group in views from Rushlake Green and the adjacent highway. They are also viewed from within the garden areas that are between the listed buildings by the residents of and visitors to those buildings. In these respects, the setting provided by the outbuilding within the garden area makes a positive contribution to the significance of the listed buildings through the evidential and aesthetic group value of the vernacular buildings. This group value also makes a positive contribution to the character and appearance of the conservation area.
11. The Council considers the corrugated cladding to be a rare survival of a material once widespread on outbuildings, including within Rushlake Green, and that its loss would be to the detriment of the heritage assets.
12. However, in this case there is evidence to show that the building was in the early C20 clad with vertical timber boarding and a slate roof, the boarding appearing to have been white-washed. The corrugated steel sheeting must therefore have been a later addition. Although it may be of some interest as an example of a cheap and quickly applied material used to clad outbuildings, it is not original to this particular building.
13. Furthermore, I do not perceive that corrugated steel cladding is a characteristic material used in the conservation area. I saw one outbuilding to the rear of 1 School Cottages that is clad in corrugated steel sheeting, but that is a mono-pitched structure of relatively modern construction. Otherwise, the only building I have had drawn to my attention is one linked to The Red House on the other side of the Green. While a building previously on this site may have been clad in corrugated steel sheeting, the current building is covered in black painted vertical boarding with a slate roof.
14. The materials proposed to reclad the building are black painted vertical timber boarding and a natural slate roof³. These materials are found on other outbuildings in Rushlake Green. The Council accepts, as do I, that they would therefore be appropriate to use in the conservation area. Having seen how those same materials are used on the building alongside The Red House, I am satisfied that the appeal building could be reclad as proposed without necessitating unduly wide eaves or losing its simple form.

³ A notation on drawing 17A says 'painted grey corrugated sheet roof' but all other references to materials, including those specified on the application form, are to the use of natural slate on the roof. For the purposes of the appeals, I have taken the proposed roofing material to be slate.

15. Having regard to the above observations, I conclude that the removal of the corrugated sheeting would not result in the loss of historically important material, nor one that is characteristic of the conservation area. The proposed cladding materials would be sympathetic to those used elsewhere in the village, and the building would be retained in largely its current form. It would continue to play a role in views from the conservation area as one of a group of ancillary outbuildings associated with the listed buildings in this part of Rushlake Green. Moreover, the proposal would not affect the ability to appreciate the special interest and significance of the heritage assets.
16. I conclude that the proposal would accord with sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in that it would cause no harm to the contribution that the outbuilding makes to the significance, special interest and settings of The White House and The Bakery. It would preserve the significance, character and appearance of the Rushlake Green Conservation Area. It would also conserve the cultural heritage of the High Weald Area of Outstanding Natural Beauty.
17. It would for the same reasons accord with Policies SPO2 and SPO13 of the Wealden Core Strategy Local Plan 2013 and Policies EN6, EN19 and EN27 of the Wealden Local Plan 1988, which require the intrinsic quality of the historic environment to be protected, the natural beauty, character and appearance of the landscape and conservation areas to be conserved, and all development to be well designed. It would as a result accord with the development plan when taken as a whole. I have also had regard to the sections of the Wealden Design Guide 2008 provided by the Council but find nothing in them that alters my view.

Conditions

18. I have considered the conditions suggested by the Council against the tests set out in paragraph 56 of the Framework. I have imposed them where appropriate, subject to minor rewording in the interests of precision and consistency.
19. Conditions relating to time limits and the approved drawings are necessary to provide certainty. There is no need for a plans condition on the listed building consent. Conditions requiring approval of the materials and details of the scheme are necessary in the interests of the appearance of the building. Such submissions can also be used to resolve the discrepancy between the roof material notated on drawing 17A as 'painted grey corrugated sheet roof' and all other application and appeal documents which refer to natural slate.

Conclusion

20. For the reasons given above, I conclude that both appeals should be allowed.

Guy Davies

INSPECTOR