



Appeal Decision

Site visit made on 24 August 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2023

Appeal Ref: APP/C1435/W/22/3309822

The Stables, Church Lane, Frant TN3 9DX

- 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 Rev. Brendan Martin (PCC Frant With Eridge) against the decision of Wealden District Council.
 - The application Ref WD/2022/0598/FR, dated 21 January 2022, was refused by notice dated 8 August 2022.
 - The development proposed is a single storey detached building to be used as church office for St Alban's Church, Frant.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey detached building to be used as church office for St Alban's Church, Frant, at The Stables, Church Lane, Frant TN3 9DX in accordance with the terms of application, Ref WD/2022/0598/FR, dated 21 January 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan:

Drg No: 2201/01
Proposed & Existing Plans, Elevations for Church Office
(including site location plan)

Main Issues

2. The main issues are whether or not the proposal would preserve or enhance the character or appearance of the Frant Conservation Area; and whether or not it would preserve the setting of the Church of St. Alban's, a Grade II listed building.

Reasons

3. The proposal is a free-standing building of the type often found in residential gardens and used as a 'home office'. It is positioned to the front of The Stables, which is used as a church hall, Sunday school and for meetings by members of the community in association with St Alban's Church. To the west is St. Alban's Church itself, a Grade II listed building. These buildings are all within the Frant Conservation Area (FCA). Both the listed building and conservation area are designated heritage assets.
4. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act), requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance

of a Conservation Area and that I have special regard to the desirability of preserving the setting of listed buildings in the determination of this appeal.

5. The FCA encompasses the historic core of the village around St. Alban's Church and The Green in the centre of the village, together with the later linear development of the village to the south, particularly along what is now the A267. It appears to me that its significance, in so far as it relates to this appeal, is that of a village within a rural setting that has expanded over time but retains many of its older, more traditional buildings whilst limiting any adverse effect from newer built form. The quality of the historic buildings and their relationship to one another and with the areas of open green spaces around which many are positioned are the defining features of the FCA and make the greatest contribution to its significance.
6. At the northern end of the village and conservation area is St. Alban's Church, an early 19th Century building that replaced a much earlier Chapel on the site. Set in a generous and leafy churchyard which fronts on to High Street/Church Lane, it is a distinctive feature of the village. In so far as relating to this appeal, the significance of the church is derived from its architectural and historic interest as an important long-standing place of worship, along with its role and relationship with the rest of the village.
7. The churchyard/graveyard provides the space and opportunity to experience the Church and appreciate its special interest. The Church is also seen in longer distance views around the village but perhaps most notably from south on the High Street, where the narrow road and traditional buildings ensure the Church is the focal point. On the whole, it is the churchyard and buildings leading up to the Church along the High Street which contribute most to the 'setting' of this designated heritage asset.
8. However, I accept that there is some more limited inter-visibility between the church/churchyard and those buildings to the west of the Church, including The Stables and the appeal building. Some contextual views of the Church looking towards the West Tower from Church Lane can include the appeal building. Similarly, views from the entrances/exits to the churchyard can take in glimpses of the appeal building.
9. The proposed building's design is relatively simple, with areas of glazing and little in the way of decoration or adornment. It is finished in timber, as is The Stables, and is stained to match the colour of that building's window frames rather than the main timber cladding. Whilst its current colouring will no doubt weather over time, it does at present draw the eye. Whilst the quality of the materials, including the use of double glazing, is less discernible from a distance, it is more noticeable when seen close up.
10. The building is set back from Church Lane and set behind a large hedge and fence. Whilst I have no reason to suppose that the hedge would not be retained, it is not something on which I can entirely rely or control given that such features are reliant on regular maintenance to retain a consistent form and can all too easily be removed or die. However, the fencing is positioned along the boundary with the adjacent property, Frant Grange. As such, it is a feature which is likely to remain in situ and so will help to limit but not entirely prevent glimpses of the appeal building.

11. From the information before me and my observations on site, given the location and form of the proposal in relation to the listed building, I consider that the key visual facets of the Church's setting would be unharmed. The proposal would not diminish the ability to appreciate the listed building's significance and would preserve its setting. In this respect, the proposal would meet the requirements of section 66(1) of the Act.
12. I am also satisfied that the position and scale of the appeal proposal does not alter or diminish the contribution that either the Stables or Frant Grange make to the surrounding area either individually or as part of a wider group of buildings around the Church.
13. However, the introduction of features such as a flat roof and double-glazed units would generally be seen as being inappropriate amongst the traditional architectural qualities and built form within this Conservation Area. I acknowledge that there were financial considerations involved in the choice of the building, but this does not mitigate for the fact that the building as a whole does not harmonise with the FCA. Whilst views of the building are limited and localised, even a small amount of harm arising from the development means that I must conclude on this main issue that the building does not preserve or enhance the character or appearance of the Conservation Area.
14. As the development would have a harmful effect on the character and appearance of the Frant Conservation Area it would conflict with Saved Policies EN1, EN19 and EN27 of the Wealden Local Plan 1998 and Spatial Planning Objectives SPO2 and SPO13, and Policy WCS14, of the Wealden Core Strategy Local Plan 2013. These seek to ensure developments avoid harm to heritage assets and make a positive contribution to the character of the historic and built environment, amongst other considerations.
15. The proposal would also be contrary to a key heritage objective of the National Planning Policy Framework (the Framework), namely sustaining and enhancing the significance of heritage assets.
16. In terms of the Framework, the harm I have identified would be 'less than substantial' and at the lower end of that spectrum. Paragraph 202 of the Framework requires that such harm should be weighed against any public benefits of the proposal.
17. Notwithstanding that the harm I attribute to the development is limited, any harm to a designated heritage asset is a matter to which I should give considerable weight and importance in the overall planning balance.

Heritage balance

18. The work of the Church and its offices does not necessarily encompass all who live within the village or local area. However, I see no reason why it cannot be considered to be a public benefit. Whilst there is little before me to fully quantify the scale and importance of this work, the Council has not disputed the wide breadth of services said to be on offer. That this necessitates someone living on site, in The Stables, which in turn has necessitated the erection of the additional office building, can, in my opinion, be taken as something of a proxy indicator of the scale and importance of the work. Overall, it seems to me that there are a wide range of public benefits arising from the work being undertaken generally and which necessitates this

additional office building in particular. I also note that the office is fully accessible.

19. Putting financial considerations to one side, I accept that the proposal is not necessarily the only way of achieving the additional office space or the community benefits that arise from it. As such, this tempers some of the weight that I can attribute in favour of the proposed development.
20. As a result, when the less than substantial harm to the significance of the FCA is weighed against the public benefits of the proposal I find that matters are very finely balanced. However, in this instance, the balance just tips in favour of the development.

Planning balance

21. I have found that there would be some harm to the FCA. I have attached considerable importance and weight to the desirability of preserving this designated heritage asset. However, when assessed against the public benefits the scheme would bring, I conclude these would outweigh the identified harm.
22. Despite the breach of development plan policy identified above and the significant weight attributed to this, these adverse impacts do not outweigh the benefits that the scheme would bring. Therefore, in terms of the development plan overall and section 38(6) of the Planning and Compulsory Purchase Act 2004, the degree of non-compliance would be outweighed by other material circumstances.

Conditions

23. As the building is already in situ, a condition relating to the implementation of the approval is not necessary. However, in the interests of certainty a condition setting out the approved drawing is required.

Conclusion

24. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

Stewart Glassar

INSPECTOR