



Appeal Decision

Site visit made on 8 August 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal Ref: APP/C1435/D/22/3310531

Lealands House, Station Road, Groombridge TN3 9NB

- 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 Russell Morgan against the decision of Wealden District Council.
 - The application Ref WD/2022/1095/F, dated 26 April 2022, was refused by notice dated 9 September 2022.
 - The development proposed is part garage conversion into a gym/studio and first floor extension to garage to create annexe.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form refers to the original applicant being John Bullock Design but the appellant has confirmed that this company was previously acting on his behalf. Therefore, the name of the appellant is taken from the appeal form.
3. The property is a Grade II listed building and is referred to in the listing as Lealands Farmhouse. However, the address given in the application is Lealands House. Accordingly, I have used Lealands House in my decision.
4. There was a previous proposal for the partial conversion and first floor extension to the building which was withdrawn. Although the appellant is willing to discuss the exact details of the exterior design with a view to finding a solution, I must determine the appeal based on the merits of the scheme before me.
5. The appellant's general dissatisfaction with their interactions with the Council during the application process is a matter between those parties and it cannot have any bearing on my determination of this appeal.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to whether it would preserve the setting of the Lealands House as a Grade II listed building and conserve and enhance the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

7. The site comprises the large listed Lealands House set within sizeable grounds, with an existing modern detached double garage to the rear of the house which

is not part of the listing. It lies adjacent to Station Road with mature planting along most of the roadside boundary. There is a range of former agricultural buildings to the east, including Lealands Oast and some smaller outbuildings, with Lealands Barn and Lealands Farm beyond these.

8. Lealands House is a grade II listed building. Its significance, in so far as it relates to this appeal, is derived from its historical and architectural interest as a 17th and 18th century former farmhouse. Many of the wider grouping of historic former agricultural buildings have been converted to dwellings, are not listed and are not within the curtilage of the appeal site, and I note the Council's concerns regarding the heritage statement.
9. The National Planning Policy Framework (the Framework) defines the setting of a heritage asset as the surroundings in which it is experienced. The historically layered evolution of the post medieval farmstead group has altered features within the listed building's setting. However, it has not reduced the setting as the historical associations with its surroundings remain evidential in views. In this regard, the former agricultural buildings make a positive contribution to the setting of the listed Lealands House and its significance. Whilst I was not able to view the appeal site from the grounds of Lealands Oast at my site visit, I walked along the public right of way adjacent to it and observed that Lealands House is experienced from the grounds of the oasthouse.
10. The modern garage on the appeal site impinges on views of these traditional buildings from Station Road and from the grounds of the listed building. Moreover, the top part of it is visible from Lealands Oast alongside the former farmhouse. In this regard, its modern utilitarian form and appearance makes a negative contribution to the setting and thus the significance of Lealands House.
11. The property is within the AONB where great weight should be given to conserving landscape and scenic beauty in accordance with the Framework. The landscape of this AONB has remained relatively unchanged since the 14th century and its outstanding beauty stems from its essentially rural and human scale character, with a high proportion of natural surfaces and the story of its past visible throughout. As the site and the area around it contain traditional and locally distinctive buildings including a former farmhouse, barns and an oast house which are one of the key characteristics of the AONB, they make a positive contribution to its landscape and scenic beauty.
12. The proposal would convert and extend the modern garage building, including the introduction of an upper floor. The parties do not agree on the extent to which the building height would be increased but it is clear from the plans that both the wall and overall roof heights would be increased.
13. The current garage is a simple brick and tile ancillary structure, with timber doors. It is common for ancillary buildings to incorporate windows and the proposed rear rooflight would not be visible. However, whilst the fenestration is intended to provide natural light, the amount and size of the front rooflights and side windows would give the building an overtly domestic appearance. I note the attempt to minimise the changes to the basic garage form but the proposed window arrangements, together with the lean-to side extension and an external staircase, would erode the simple, utilitarian character of the building. Therefore, the proposal would create an ungainly building, discordant

with the uncluttered roofs and traditional architectural style of the oasthouse and outbuildings close by.

14. There is no footpath along this side of Station Road and, although only a snapshot in time, at the time of my site visit there were limited pedestrian movements along the street. Nevertheless, the existing building is visible through a small gap in the planting along the road. It already has a higher roof level than the other outbuildings in the group and largely obscures views of them, but the top part of the oasthouse, including the cowl and part of the roundel are visible. The greater height and mass of the proposed building compared to the existing one would further obscure views of this traditional building which is part of the historic farmstead group.
15. Lealands Oast is a private residence whose occupiers did not object to the proposal. However, the increased scale and some external changes to the garage building would be visible from the grounds of Lealands Oast and exacerbate the negative impacts that the structure has on the setting of the listed building from the oasthouse. The development would also be evident from within the grounds of the listed Lealands House.
16. For the reasons set out and having regard to the duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would not preserve the setting of the listed building, although the harm would be less than substantial. Paragraph 202 of the Framework states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposed development. The appellant indicates that the proposed materials would be more sympathetic to local character but the public benefit of this would not outweigh the great weight to be given to the harm to the setting of the listed building caused by the proposed extension and alterations. Therefore, I conclude that the proposed development would conflict with the Framework in respect of its impact on the setting of the listed Lealands House.
17. There is reference to an oak framed garage building at Lealands Farm, but this has a different position, design, and scale relative to the existing buildings than the appeal proposal. The appellant also refers to developments allowed within the same farmstead group of buildings, but limited details have been provided so I am not able to compare them with the proposed development.
18. Overall, the proposal would harm the character and appearance of the area as it would not preserve the setting of Lealands House as a Grade II listed building and it would not conserve and enhance the landscape and scenic beauty of the AONB. It would be contrary to saved Policies GD2, EN6, EN27 and DC19 of the Wealden Local Plan 1998 and the Spatial Planning Objectives SP02 and SP013 and Policy WCS14 of the Core Strategy Local Plan 2013. Together these require protection of the intrinsic quality of the historic environment and the conservation or enhancement of the natural beauty and character of the AONB landscape. The proposal would also conflict with the Framework where it seeks to protect and enhance valued landscapes.
19. It would also be contrary to the Wealden Design Guide 2008 where it requires such developments to reflect architectural character, have minimal visual impact on the setting of groups of buildings, and have no adverse impacts on the setting of listed buildings.

Other Matters

20. A consultee response refers to the site lying within a red or amber impact zone indicating that there is highly suitable habitat for great crested newts within the area surrounding the appeal site. However, as I am dismissing the appeal on other grounds, I have not pursued this matter further.

Conclusion

21. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh the conflict. Therefore, the appeal is dismissed.

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INSPECTOR