



Appeal Decisions

Site visit made on 11 January 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 February 2024

Appeal A Ref: APP/C1435/W/23/3315415

The Farmhouse, Pennybridge Lane, Mayfield TN20 6QB

- 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 Juliet and Stephen Callaghan against the decision of Wealden District Council.
 - The application Ref WD/2022/2443/F, dated 15 September 2022, was refused by notice dated 25 November 2022.
 - The development proposed is described on the application form as 'Minor alterations to the previous approved proposals. Reference: WD/2021/2362/F'.
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Appeal B Ref: APP/C1435/Y/23/3315414

The Farmhouse, Pennybridge Lane, Mayfield TN20 6QB

- 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 Juliet and Stephen Callaghan against the decision of Wealden District Council.
 - The application Ref WD/2022/2444/LB, dated 15 September 2022, was refused by notice dated 25 November 2022.
 - The works proposed are described on the application form as 'Minor alterations to the previous approved proposals. Reference: WD/2021/2362/F'.
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Decisions

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

Applications for costs

3. An application for costs was made by Juliet and Stephen Callaghan against Wealdon District Council. This application is the subject of a separate decision.

Preliminary Matters

4. Notwithstanding the description of development and works above, which is taken from the application form, I have used the Council's description as this more accurately and concisely describe the proposed development and works: single storey rear extension and internal alterations. I note that the appellant also used this description in their appeal forms.
5. As Appeal A relates to a planning permission and Appeal B relates to a listed building consent, I have had special regard to Sections 66(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

6. The two appeals concern the same scheme under different, complementary legislation. To avoid duplication, I have dealt with both appeals together in my reasoning.
7. Since the appeal was lodged, a revised version of the National Planning Policy Framework (the Framework) was published (19 December 2023). This does not materially change the planning policy context in respect of the main issue.

Main Issue

8. The main issue is whether the proposal would preserve the Grade II listed building, Pennybridge Farmhouse, and any of the features of special architectural or historic interest that it possesses.

Reasons

Special interest and significance

9. The appeal property is a Grade II listed building¹. The Historic England listing describes its origins as lying in the late 17th century, although the building is thought to feature historic elements from an older structure on the same site. The present building comprises two storeys with attic rooms, served by dormer windows, and is finished in red brick and hung tiles. It is set within spacious, landscaped grounds together with a series of contemporary outbuildings and structures. It is no longer associated with nearby converted agricultural buildings.
10. Despite the extension and alteration of the listed building and its plot over time, including in more recent times, the front elevation has maintained an aesthetically pleasing architectural form and those alterations have not unduly eroded the listed building's overall intrinsic heritage merit.
11. Based on the evidence before me, I find that the listed building's special interest and significance is largely derived from its architectural and historic interest. Important contributors in these regards, which are pertinent to the appeal, are the use of traditional construction techniques and materials, surviving historic fabric and the legibility of the historic core.

Appeal proposal and effects

12. The proposal would include the erection of a single-storey rear extension. It would be of a contemporary design with a glazed link between it and the historic part of the building.
13. I note from the evidence before me and my observations on site that the southern part of the property has been the subject of extensions and alterations over time. This includes more recent additions, understood to have taken place in the 1970s. A late 18th century element (which may be referred to as the kitchen range) also projects forward of the building's likely historic principal southern elevation. Despite being a later addition, and relatively large, the simple form and detailing of that established extension ensures that the most historic part of the building remains an intact, prominent and legible feature.

¹ List Entry Number: 1353597

14. Whilst there is no objection to the glazed link, or the principle of a contemporary extension here, mindful of the previous consent and the associated discharge of conditions, the appeal scheme now proposed would further extend the footprint of the building to the south. Irrespective of its precise measurement, this would introduce a comparatively large addition, relative to the existing extensions and historic core. Although of a single-storey, the overall projection and arrangement of the proposal would begin to compete with the visual dominance of the main part of the building, harming its generally simple form and impairing its historic legibility. Taken together, the proposed development and works would harmfully erode the historic and architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance.
15. Turning to the historic fabric of the building, in particular the removal of existing windows, door and masonry to the southern elevation and the internal reconfiguration of the rear part of the building, these would not be significant and would affect only a more recent phase of the dwelling. The Council accepts the same. Nevertheless, this would not lessen the harm to the listed building's special interest and significance overall.
16. I acknowledge that the proposed extension has been designed to be purposely contemporary and is of a very similar design to a previous consent². I also note the pitch of the roof and the width of the extension match that of existing parts of the building. Be that as it may, that previous extension was of a shorter overall projection. Moreover, given that the permitted scheme would not wholly achieve the desired outcome of the appellant, I cannot be certain that there is any greater than a theoretical possibility that the extant scheme would be implemented. In this respect, I attach little weight to the permitted scheme as a fallback position.
17. I accept that the proposal would be set to the rear, largely out of sight from the public realm. However, the building is listed for its intrinsic architectural and historic interest and the visibility of the proposed development and works is not a determining factor in considering whether they would preserve the special architectural or historic interest of the building. That the proposal would not affect the front elevation would not compensate for the identified harm or sufficiently justify the proposal.
18. I am also aware of the appellant's reference to the likelihood of the building once being much larger, particularly in respect of its footprint. This is illustrated as a 19th century structure and possible well house, which extended the kitchen range. It is argued that precedent therefore exists for the further evolution of the rear part of the house. Nevertheless, there is no substantive evidence before me of the form or permanence of these former structures, and they are not visible on the site today. Moreover, whilst I have noted the submitted floor areas, my assessment of the scheme has involved more than a simple reliance on the amount of ground covered by the proposal. Accordingly, these matters have not led me to an alternative conclusion on the main issue.
19. Overall, I conclude that the proposal would fail to preserve the Grade II listed building, Pennybridge Farmhouse, or any features of special architectural or historic interest which it possesses, contrary to the requirements of Sections

² WD/2021/2363/LB and WD/2021/2362/F

16(2) and 66(1) of the Act. Consequently, the proposal would harm the significance of this designated heritage asset.

Public benefits and balance

20. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
21. With reference to Paragraphs 207 and 208 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the works relative to the listed building, I find the harm would be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
22. Economic benefits would be brought about through the implementation of the works. However, the scale of those benefits would be short-term and very limited by the extent and nature of the proposal. The primary outcomes of the proposed works, namely the extension of the building to provide open plan cooking and dining facilities, would be private benefits to the appellant that do not provide clear and convincing justification for allowing the appeal.
23. Conservation is an active process of managing change to heritage assets in ways that sustain, reveal or reinforce their heritage interests. I note the building's countryside location, which may attract differing user requirements to a more urban property. However, I am not persuaded that the scheme before me is fundamentally necessary to secure the optimum viable use of the building. Moreover, no substantive evidence has been put before me which verifies that the property would not be useable or viable as a dwelling or that its conservation as a designated heritage asset would be at risk if the appeals were to fail and the proposal, as submitted, was not implemented.
24. Overall, the weight that I ascribe to the public benefits that would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposed works would fail to preserve the Grade II listed building, Pennybridge Farmhouse, or any features of special architectural or historic interest which it possesses, contrary to the requirements of Sections 16(2) and 66(1) of the Act and the relevant provisions within the Framework which seek to conserve and enhance the historic environment. The proposal would also be in conflict with the relevant provisions of Saved Policy EN27 of the Wealdon Local Plan (1998) and Policies SPO2, SPO13 and WCS14 of the Wealdon Core Strategy Local Plan (2013). These policies, taken as a whole, seek high quality design in development and the protection of the historic environment.

Other Matters

25. The appeal site is located within the wider surroundings of a Grade II listed building, Barn to the West of Pennybridge Farmhouse³. Mindful of the statutory duty set out in Section 66(1) of the Act, I have had special regard to the desirability of preserving its setting. The historic relationship with nearby buildings, which includes the appeal property, and verdant surroundings, positively contribute to their significance. However, given the position and extent of the proposals, I consider that it would preserve the setting of this listed building and the contribution it makes to that asset's significance. I note the Council had no concerns in this regard either.
26. I note the comments made by the appellant in respect of the reason for refusal not reflecting, verbatim, the view of the conservation officer. However, planning decisions do not always reflect the precise wording of specialist officers. In any case, this has not changed my conclusion on the main issue. I also note that the Parish Council did not object to the proposed works. However, the lack of objection is essentially neutral in my determination of the case.

Conclusion

27. For the reasons given above, having had regard to all other relevant material considerations, I conclude that the appeals should be dismissed.

A Price

INSPECTOR

³ List Entry Number: 1193729