



Appeal Decisions

Site visit made on 5 March 2024

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2024

Appeal Ref: APP/U1430/Y/23/3321642

20 High Street, Robertsbridge, East Sussex, TN32 5AQ

- 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 Mr N Dumbell against the decision of Rother District Council.
 - The application Ref RR/2023/53/L, dated 27 January 2023, was refused by notice dated 20 March 2023.
 - The works proposed are rear extension and internal alterations to first floor.
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Appeal Ref: APP/U1430/W/23/3321643

20 High Street, Robertsbridge, East Sussex, TN32 5AQ

- 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 N Dumbell against the decision of Rother District Council.
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Decisions

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

Preliminary Matter

3. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are whether the proposals would preserve a Grade II listed building, 'The Post Office, 20 and 22, High Street' (Ref:1221398), and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Robertsbridge Conservation Area.

Reasons

5. The appeal building was listed in 1987 and dates from the 17th century. No.20 High Street is part of the larger hipped roof building comprising both 20 and 22 High Street. The original timber framed part of the building fronts on to High Street and the side access adjacent to No.18. It has been substantially

extended through later part two-storey additions to the rear of the building, the oldest parts of which appear to date to the 19th century. These are varied in appearance, with the more prominent rear projection at No. 20 comprising a two-storey gable ended projection and the adjoining No.22 comprising a hipped roofed projection. A single storey flat roofed area along with a small two-storey flat roofed projection lie in between the two main rear additions. The vertical tile hanging and brick used on the extended elements contrast with the existing weatherboarding on the original parts of both Nos.20 and 22 and the ground floor stucco and plaster infilling used on No.22. Internally, No.20 comprises a ground floor shop in the original part of the building with a residential flat to the rear at ground and first floor level. No.22 now appears to be wholly residential, though retains evidence of the building's former use as post office.

6. Taking account of the above, I find the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the architectural and historic interest of a 17th century village high street building. The later additions, despite being of lesser architectural significance, evidence the use of different materials and the historic phasing of the building to meet the changing needs of its occupants.
7. The proposed works include a small extension of the existing first floor flat roofed rear element of No.20. It would facilitate the creation of a new bathroom, replacing an existing bathroom, created through the subdivision of the existing rear bedroom.
8. Whilst the proposed extension, located in the vacant area between the existing two storey additions, would be of a modest size and utilise hanging tiles to match the existing, it would extend the existing first floor flat roofed element so that it would be very close to the existing main rear elevation. This extended flat roofed element would further interrupt the existing presence of separation between the existing two storey projections and it would sit uncomfortably and incongruously adjacent to the existing pitched roof sections. In reducing the space between the existing two storey projections it would diminish the legibility of the earlier phases of the building as well as appearing as out of keeping with the design of the existing building forms.
9. Whilst the original 17th century core and associated historic fabric of the building would not be directly affected and although the extension would be of a modest size, the proposal would undermine, albeit it to a limited degree, the historic and architectural integrity of the listed building.
10. Despite there being very limited public views, the building is listed for its intrinsic architectural and historic interest and the visibility of the proposed works is not a determining factor in considering whether or not they would preserve its special interest.
11. The creation of a new bathroom layout within the existing rear bedroom would disrupt the existing layout and arrangement of this part of the building. However, as this would not affect the original core of the building and the proposed use of timber framed partition would be reversible, this internal aspect of the proposals would not harm the special interest of the listed building.
12. Given all of the above, I find that the proposal would fail to preserve or enhance the special interest of the listed building. Consequently, I give this

harm considerable importance and weight in the planning balance of these appeals.

13. The Robertsbridge Conservation Area covers the historic central core of this large village. The High Street which continues from north to south through the Conservation Area contains a mix of residential and commercial properties. The scale, grain and texture of its historic buildings evidence the evolution of the community and development within the area. The area in which the appeal site is located contains mainly modestly sized two storey buildings with a mix of existing shops and former shops on the High Street that have been converted to residential use. Like the appeal building, the properties on either side have been subject to rear additions of differing designs. To the rear of the High Street buildings there is a more ad-hoc mix of mainly residential development. Therefore, insofar as it relates to these appeals, the significance of the Conservation Area is primarily associated with the evidence of the historic commercial and residential development of the area, including the architectural and historic significance of the listed buildings on High Street.
14. The proposal would not be visible from the public domain and would only have limited visibility from the private domain, primarily from within the rear gardens of Nos. 20 and 22. Unlike listed buildings, the significance of the Conservation Area is dependent on how it is experienced and proposals must be judged according to their effect on it as a whole and therefore must have a moderate degree of prominence from these domains. Therefore, notwithstanding the harm to the listed building described above, given its limited visibility and prominence, the proposal would preserve the character and appearance of the Conservation Area.

Other Matter

15. As the extension would not be prominent in wider views from the surrounding area, it would conserve the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty.

Planning Balance

16. Paragraph 205 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to their conservation. Paragraph 206 goes on to advise that any harm to, or loss of, the significance of a designated heritage asset through its alteration or destruction should require clear and convincing justification. Given the modest scale of the proposal and as it does not significantly affect the historic fabric of the building, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
17. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes, where appropriate, securing the optimal viable use of the heritage asset. The proposal seeks to provide a benefit to the residential environment enjoyed by its occupants through the creation of a new bathroom to replace the existing bathroom arrangement that is considered by the appellant to be inadequate. However, whilst noting the somewhat unusual existing bathroom arrangement, there is no evidence to indicate that the existing residential flat within the listed building cannot be enjoyed in its own right or that preventing

the proposed works would lead to any risk that it could become an unattractive place to live. The continued viable use of the appeal building is not dependent on the proposal as the residential use would not cease in its absence. The benefits would be private and would be outweighed by the harm I have identified.

18. Given the above and in the absence of any defined public benefit, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building. This would fail to satisfy the requirements of the Act and would be contrary to the heritage and design aims of Policies EN2 and RA2 of the Rother Local Plan Core Strategy 2014, DHG9 of the Rother District Council Development and Site Allocations Local Plan 2019, EN5 of the Salehurst and Robertsbridge Neighbourhood Development Plan 2018 and the Framework. As a result, the proposal would not be in accordance with the development plan.

Conclusion

19. For the above reasons I conclude that the appeals should be dismissed.

David Cliff

INSPECTOR