



Appeal Decision

Site visit made on 4 February 2025

by **Stewart Glassar BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 February 2025

Appeal Ref: APP/U1430/D/24/3346737

Moorbank Farm, Old Forewood Lane, Crowhurst TN33 9AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr D Crothall against the decision of Rother District Council.
 - The application Ref is RR/2024/702/P.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have omitted from the description of development in the banner heading the reference to a Lawful Development Certificate as this is not part of the development for which permission is being sought.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the building as a non-designated heritage asset.

Reasons

4. The appeal building is a two-storey detached dwelling at the front, but which from the rear appears as a single storey building with a large catslide roof. Located within the open countryside, it is set within a spacious plot containing a garage and parking area to the front, with side and rear garden areas.
5. The building has been subject to some previous works and extensions but nonetheless provides a good example of a farmhouse dating from the 17/18th centuries. The scalloped roof tiles and chimneys positively contribute to the building's interest. The significance of the building as a non-designated heritage asset, insofar as it relates to this appeal, therefore derives principally from its historic associations, architecture and detailing.
6. The proposed development is a single storey rear extension with pitched roof. Its eaves would project from the catslide roof, and above the eaves of the building. Although the ridge would be below that of the main roof, it would be higher than one of the chimneys and interrupt the scalloped roof tiles. As a result, the extension would not only significantly change the roof profile of the building, but it would dominate and disrupt the rear roof slope, which significantly contributes to the character of the dwelling and an appreciation of its design and history.

7. To the rear of the dwelling the land falls away and the proposal would necessitate the internal floor levels being changed. However, there is no substantive evidence before me to indicate that the floor/land levels mean that the appellant's preferred approach is the only way to achieve the additional accommodation and that a less harmful design is not possible.
8. Wider views of the building are limited. It can be glimpsed from Foreward Lane to the northwest of the site, although the extent of any views will vary depending on the time of year and amount of leaf cover on the intervening trees. However, the development would nevertheless be visible from within the appeal site itself, where it would appear as an incongruous and unsympathetic form of development.
9. Paragraph 216 of the National Planning Policy Framework (the Framework) requires the significance of a non-designated heritage asset to be taken into account in determining an application. In weighing applications that directly or indirectly affect a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
10. Having considered all of the above, I conclude that the proposal would harm the character and appearance of the host property and would be detrimental to its significance as a non-designated heritage asset. It would be contrary to Policies OSS4 (iii), RA2 (viii), RA3 (iv), EN1 (vii), EN2 (i & iii) and EN3 (i & ii (f & g)) of the Rother Local Plan Core Strategy 2014; Policy DHG9 (ii, iii, v & vi), DEN1 & DEN2 of the Development and Site Allocations Local Plan 2019; and Policy CB1(1) and CB2(4) of the Crowhurst Neighbourhood Development Plan 2019. Collectively, these policies, amongst other things, seek to ensure that the character and built heritage of the locality is conserved and not compromised.
11. The proposal would also conflict with the aims of the Framework in requiring development to be sympathetic to local character, including the surrounding built environment and conserving and enhancing the historic environment.

Other Matters

12. A Lawful Development Certificate (LDC) has been granted for a rear extension to the dwelling and is similar to that now proposed. The only difference appears to be that in order to comply with the permitted development requirements, the roof is part pitched/part flat, rather than fully pitched. Although the additional height now proposed above that shown in the LDC is modest, it adds significantly to the overall bulk of the roof and thus the disruption to the existing rear elevation. Therefore, any weight I could give to a potential fall-back position based on the LDC would not be sufficient to overcome the harm I have identified and justify allowing the appeal.
13. It is also suggested that rooflights and photovoltaic panels could be inserted into the catslide roof. However, at this stage this appears to be nothing more than a theoretical possibility and so is not a matter to which I can attach weight.
14. The appellant points to the absence of objection from local residents and support from the Parish Council. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issue of the case.

15. I have been presented with some details of an extension to Petley Cottage, a dwelling described as being a few miles away from the appeal site. Although the Town Council may have identified that building as a non-designated heritage asset in the Neighbourhood Plan, it is not clear the extent to which this is a designation or merely an aspiration or a nomination. Furthermore, there is no information as to whether the District Council, as Local Planning Authority, formally accepts this designation. In these circumstances it is not a matter on which I can place sufficient weight for it to outweigh my findings.

Conclusion

16. I have found that the proposal would be harmful to the character and appearance of the host property and its significance as a non-designated heritage asset. As such, the proposal would be contrary to the development plan as a whole and to the Framework. There are no other material considerations of sufficient weight to indicate a decision be taken other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR