



Appeal Decision

Site visit made on 19 March 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 April 2025

Appeal Ref: APP/U1430/D/24/3355009

Petley Cottage, Whatlington Road, Battle, East Sussex, TN33 0NA

- 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 Mrs Helen Ashenheim against the decision of Rother District Council.
 - The application Ref is RR/2024/1369/P.
 - The development proposed is removal of all external timber cladding; repairing/replacing existing structural elements as necessary. Cladding all walls externally to incorporate insulation and vapour barriers to achieve current building regs. Replacing all existing windows with new windows to match existing. Carefully remove all existing roof tiles and set aside reuse; replacing existing structural elements as necessary including raising floor and ceiling levels to improve internal dims (g.f - 1960 - 2150.f.f 1880-2050mm). Retile using existing including insulation to building regs. Extend 1st floor at rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host dwelling and wider area, with particular reference to the building as a non-designated heritage asset within the High Weald National Landscape.

Reasons

3. Petley Cottage is a modest two storey detached cottage. It is characterised by its wooden horizontal boarding, clay roof tiles and chimneys at either end of the building which give it a degree of symmetry. The windows and openings on the front of the cottage are not symmetrical but it is the first floor flat roof dormer which is a more noticeable feature of the elevation. A 20th century extension that features a catslide roof gives the rear elevation a single storey appearance.
4. The cottage is detached and has a verdant setting. It is positioned close to the apex of a bend on Whatlington Road and makes a positive contribution to this part of the High Weald National Landscape. The policy objective for such areas requires, amongst other things, an appropriate built form that is sympathetic to the landscape and its setting.
5. The Council has indicated that the building is a Non-Designated Heritage Asset (NDHA), something which the appellant does not dispute. The Council's reason for the designation is said to be that it exhibits clear historic building typologies. Whilst there is otherwise limited supporting documentation in respect of it being an NDHA, I am content, following my site visit, that it can be treated as such and that

its significance is in its fabric and design, which is vernacular and of historic interest.

6. Paragraph 216 of the Framework requires that the effect of a proposal on the significance of a NDHA should be taken into account in determining the application. It states that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.
7. In my opinion, the main changes externally to the cottage would be the two-storey extension replacing the catslide rear extension; the shiplap boarding which it is said would be of similar appearance to the existing timber cladding; new windows and what from the drawings appear to be some resized openings; new roof to the front dormer; and raising the height of the ridge and front eaves.
8. Some of the changes, such as to the windows or new dormer roof would individually have a modest effect on the building's character and appearance. Others, such as the changes to the main roof and eaves would be more noticeable as they would alter the proportions of the front elevation. These changes and the increase in the size would find particular expression in the upper window cills being below the eaves and the banding on the chimneys sitting below the ridge rather than above it.
9. While the rear elevation would not be widely seen, with trees and buildings close to the appeal site interrupting some longer views, its upper portions would nonetheless be visible from Whatlington Road. From here it would read as an incongruous addition to the host dwelling. This is partly because of its proportions relative to the existing building but also because its asymmetrical roof would be read in combination with the other changes and collectively would appear at odds and unsympathetic with the building's simple design and form.
10. Although the cottage would be clad in what is said to be material that would be similar to the existing, there are no details provided. In longer range views modern materials are not always distinguishable from timber. However, in closer views the crisper more precise and consistent form and appearance of modern alternatives can be discernible. As an important component of the building's overall appearance and historic fabric, this lack of information and detail does not weigh in favour of the proposal.
11. I have no doubt that the building is in need of upgrading and repair and that the development would help to address these issues and make it more spacious and comfortable. Ensuring that the building is usable and liveable are important benefits. However, I have not been presented with any compelling evidence that this scheme would be the only way to secure the necessary improvements to the building's fabric and ensure its longer term survival. Furthermore, I note that the Council approved rear dormer extensions in January 2024 but there is no substantive information as to why this could not achieve some of the appellant's desired outcomes. Therefore, the weight I afford to the upgrading and repair benefits of the scheme must be tempered by the lack of any compelling evidence that the current proposal would be the only way to secure these outcomes.
12. I also acknowledge that the building has evolved over time and part of the building to be extended is likely to date from the second half of the 20th century. There would also be some wider local economic benefit from the construction work.

13. However, the weight I ascribe to these benefits would be outweighed by the impact of the proposal which would erode the cottage's scale and character, adversely affecting characteristics central to the appreciation of its heritage significance. Consequently, in my balanced judgement, there are no benefits of the proposal, public or otherwise, that would outweigh the harm to the NDHA.
14. Given the above, the proposed development would have a harmful effect on the character and appearance of the cottage and detract from the significance of the NDHA. This harm would also run counter to the wider policy objectives for the National Landscape which require development to not detract from the landscape and so ensure its character is protected.
15. It would therefore conflict with Policies OSS4(iii), RA3 (iv & v), EN2, EN1(i) and EN3 (i & ii) of the Rother Local Plan Core Strategy 2014; Policies DHG9 (ii, iii and vi), DEN1 and DEN2 of the Development and Site Allocations Local Plan 2019; and Policies HD4 and EN5 of the Battle Civil Parish Neighbourhood Plan 2019-2028, which together seek to ensure proposals are well-designed, do not detract from the character and appearance of the locality, the protected landscape and so relate positively to their context. They also seek to ensure proposals preserve the significance of all heritage assets.
16. The proposal would also run counter to the National Planning Policy Framework which, amongst other things, requires that developments are sympathetic to local character and history and that in National Landscapes great weight be given to conserving and enhancing landscape and scenic beauty.

Other Matters

17. The appellant draws my attention to the neighbouring properties which have previously been extended and enlarged. I do not have the details of those developments before me and am not aware as to whether they were non-designated heritage assets. As such, I cannot be sure that there are direct parallels between them and the appeal scheme.
18. I note that the appellant indicates that a possible alternative to the proposal would be to replace the cottage with a new dwelling. At this stage I cannot be certain that this is anything more than a theoretical possibility. Furthermore, it would be a matter for the Council to consider were an application to be submitted to them. Consequently, it does not alter my findings in relation to the extension for the cottage.

Conclusion

19. The proposal would cause harms that conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR