
Appeal Decision

Site visit made on 8 September 2025

by L Gardner MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2025

Appeal Ref: APP/C1435/D/25/3362206

Pranks Mead, Lower Road, Forest Row, East Sussex RH18 5HE

- 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 Marco Nardini of Shaptor Capital Ltd against the decision of Wealden District Council.
 - The application Ref is WD/2024/2925/F.
 - The development proposed is erection of a 1.5 storey side and rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is situated within the Forest Row Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
3. The Council make reference to the property potentially being of a 'listable quality'. However, I understand that the building is a non-designated heritage asset (NDHA) rather than a listed building and I have assessed the proposal on this basis.
4. The appeal site is located within 7km of the Zone of Influence of the Ashdown Forest Special Protection Area and Special Area of Conservation, both of which are European designated habitat sites. The Council has raised no concerns with respect to the effect of the development on these designations and I see no reason to take a different view based on the evidence before me.
5. I note the reference within the officer report to the replacement of existing windows. The appellant's statement refers to the refurbishment of windows or their replacement on a like for like manner, which they state would not require planning permission. Given that the replacement of existing windows is not referred to within the description of development on the application form, nor on the submitted plans, I have not considered it further in the consideration of the appeal.

Main Issues

6. The main issues are the effect of the proposal on:
 - the character and appearance of the host building, a NDHA, and the surrounding area, with particular regard to whether it would preserve or enhance the character

and appearance of the Forest Row CA and conserve and enhance the natural beauty of the High Weald National Landscape;

- the living conditions of the occupiers of Bensons Court, with particular regard to outlook and natural light.

Reasons

Character and appearance

7. The appeal site is within the Forest Row CA, covering the historic core of the village which has expanded from its origins as a small hamlet. The significance of the CA is partially derived from its historic street pattern and the layout of the village, with a number of the principal buildings of interest being located at the junction of London Road and Lewes Road. Plot sizes are diverse and irregular indicating the organic growth of the village.
8. The appeal building forms one of a notable collection of traditional cottages and residential buildings on Lower Road. It is one of the older buildings on one of the original lanes within the village which makes a positive contribution to the significance of the CA and holds historical interest to the incremental development of the village. The building itself is considered as a NDHA with a noteworthy vernacular style. The form of the building differs from its attached neighbour through part a timber framed finish. The building has previously been extended from its original form through a two-storey rear extension.
9. Owing to the setback of the neighbouring building, the side and rear of the appeal building have a degree of visibility in the street scene, particularly when approaching the site from the north. The proposal would wrap around the side to the rear, before adjoining the existing two storey rear projection. The overall pitch height of the proposal would be below the original dwelling and the existing extension as well as being set back from the front elevation.
10. Nevertheless, rather than appearing as a discrete lean to extension, the expanse of the side roof slope would be a dominating and disproportionate addition to the dwelling, leaving little legibility of the original side wall to the dwelling. At the rear, the proposal would sit awkwardly with the existing extension, with a central flat roof.
11. Notwithstanding that extensions and adaptations to buildings can become part of a building's history, in this case I find the original form of the building as a traditional cottage to be particularly important, insofar as it contributes to the significance of the CA. The proposal would skew and overwhelm the form of the dwelling, disrupting its interpretation as a traditional cottage.
12. Based on the above, I conclude that the proposal would have a harmful effect on the character and appearance of the host building, a NDHA. It would also harm the character and appearance of the Forest Row CA through an unsympathetic addition to a building which as existing makes a positive contribution to the CA.
13. Saved Policy HG10 of the Wealden Local Plan (WLP) (1998) is a generally permissive policy relating to the extension and alteration of existing dwellings. Nevertheless, amongst other matters it does require the scale and design of extensions to be appropriate and sympathetic in relation to existing buildings. This is mirrored by the principles of Saved Policy EN27 of the WLP which requires the scale, form and design of development to promote local distinctiveness.

14. Policy SPO2 of the Wealden Core Strategy (WCS) (2013) states that the intrinsic quality of the historic environment should be protected. Saved Policy EN19 of the WLP states that within conservation areas, proposals that do not preserve or enhance their existing character, scale and visual amenity will be resisted. Based on the above, I find that the proposal would be contrary to Saved Policies HG10, EN27 and EN19 of the WLP as well as Policy SPO2 of the WCS.

National Landscape

15. The appeal site is within the High Weald National Landscape (NL) which has a distinctive topography resulting in a hilly country of ridges and valleys. The vegetation of the landscape accentuates its physical character being well wooded with some large mixed and coniferous woodland areas.
16. The statutory purpose of NLs is conserving and enhancing the natural beauty of the area of outstanding natural beauty. Section 245 (Protected landscapes) of the Levelling-up and Regeneration Act 2023 amends the duty on relevant authorities in respect of their functions, which affect NLs. Relevant authorities must seek to further the statutory purposes of Protected Landscapes, which includes NLs.
17. Saved Policy EN6 of the WLP states that development within the High Weald NL (formally known as an Area of Outstanding Natural Beauty) will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Paragraph 189 of the National Planning Policy Framework (the Framework) also states that great weight should be given to conserving and enhancing landscape and scenic beauty in NLs which have the highest status of protection in relation to these issues.
18. The Wealden Design Guide notes that within such designations, the acceptability for extensions will be measured against the degree to which it is considered they would enhance or maintain the essential character and quality of such areas. Notwithstanding my conclusions above in respect to heritage assets, and noting the amended duty, the proposal would conserve the defining characteristics of the High Weald NL. I have therefore identified no direct conflict with Saved Policy EN6 of the WLP.

Living conditions

19. Saved Policy EN27 of the WLP requires consideration of the amenities of adjoining developments, stating that proposed development should not create an unacceptable adverse impact. Saved Policy HG10 of the WLP as above, whilst being a generally permissible policy, requires there to be no significant adverse effect on the amenities of the occupiers of neighbouring properties.
20. The proposal would extend northwards towards the shared boundary with Bensons Court. The side gable of Bensons Court, facing the appeal site has a window at both ground and first floor, both of which are obscurely glazed. The proposal would extend only marginally beyond the rear building line of the neighbouring property. Despite the extension being due south of the neighbouring property, the effect on natural light would be minimal to the neighbouring rear garden due to the positioning of the proposal. Whilst there may be some additional loss of natural light caused by the proposal to the area of garden to the side of the neighbouring dwelling, from my site observations it was clear that this area is used as a passage

to the rear, rather than an actively used part of the garden. I therefore consider this area to be less sensitive in respect to natural light.

21. The proposal would be relatively close to the windows in the side gable of the neighbouring property. The design of the proposal is such that the closest part of the built form would be the eaves of the extension with the roof then sloping away from the shared boundary. The outlook from the neighbouring windows would not be materially different to that experienced as existing, which is already likely limited through the obscure glazing, and otherwise dominated by the presence of the existing dwelling. I do not consider that the proposal would have a discernible impact in respect to neighbouring outlook.
22. I therefore conclude that the proposal would have an acceptable effect on the living conditions of the occupiers of Bensons Court, with particular regard to outlook and natural light. In respect to this main issue, I have identified no conflict with Saved Policies EN27 or HG10 of the WLP.

Planning Balance

23. Paragraph 216 of the Framework requires a balanced judgement in weighing applications that directly or indirectly affect NDHAs. In this case, the proposal would have a direct harmful impact on the NDHA through its form, which would disrupt the interpretation of the building as a traditional and historic cottage.
24. I have also identified harm to the CA, which whilst at the lower end of less than substantial, is still of considerable importance and weight. Paragraph 215 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 development.
25. The appellant has presented that the proposal would bring an existing vacant property and NDHA to modern living standards, introducing measures for thermal efficiency and damp control. The proposal would also incorporate increased biodiversity, high levels of energy efficiency and low carbon technologies such as solar panels. These benefits are largely private to the future occupiers, but I do accept that there are some limited public benefits associated with bringing the building back into use, increased biodiversity and low carbon technologies.
26. I cannot be satisfied that the proposal would make a contribution towards housing supply, given that the building is already in a residential use and therefore there would be no net addition to housing supply within the area.
27. In this case, the limited public benefits which I have identified do not outweigh the harm which I have found to the character and appearance of the CA.

Conclusion

28. I have found that the proposal would have an acceptable effect on the living conditions of neighbouring occupiers and the NL within which the appeal site sits. However, it would have a harmful effect on the character and appearance of the host dwelling and the surrounding area, including in its heritage context within the CA.
29. I therefore conclude that the development fails to satisfy the requirements of the Act, paragraph 215 of the Framework, and it is not in accordance with the

development plan, when read as a whole. Material considerations do not indicate a decision otherwise than in accordance with the development plan. For the reasons given above, and having considered all matters raised, the appeal is dismissed.

L Gardner

INSPECTOR