



Appeal Decision

Site visit made on 23 September 2025

by D R McCreery MA BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 October 2025

Appeal Ref: APP/C1435/Y/25/3368032

Leopards Mill, Hanging Birch Lane, Horam, East Sussex, TN21 0PD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against the refusal of details of works required by a condition of a listed building consent.
- The appeal is made by J Walker against the decision of Wealden District Council.
- The application Ref WD/2025/0837/CD sought approval of discharge of condition 6 attached to Listed Building Consent WD2023/0607/LB
- Condition 6 states: Notwithstanding the details contained within the application particulars and the details annotated on drawings 2208LE_R2_100 Rev R.2 and 2208LE_R2_101 Rev R.1 (received 22 August 2023), prior to any cleaning of the historic timbers being undertaken, a discreet test area shall be submitted to the Local Planning Authority, following being viewed on site after cleaning, to allow consideration of whether any proposed cleaning system is appropriate for use on the building (including suitable retention of patina). If a cleaning system is approved in writing by the Local Planning Authority, the cleaning of the timbers shall then be carried out in accordance with the approved system and by the professional operator who provided the sample panel area, and not by any other person.
- The reason for the condition is In the interests of preserving historic fabric, in line with Saved Policy EN1 of the Wealden Local Plan 1998 and Policy SPO2 of the Core Strategy 2013. NOTE: Following consultation with the Council's Heritage Officers, a non-abrasive cleaning technique is expected.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal relates to the Grade II Listed Mill Stream (list entry 1183035) (the Building). I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). I have also paid due regard to sections 17 and 19 of the same Act in respect of imposing and discharging conditions. In so far as they are relevant to this appeal and considerations of listed building issues, I have also considered policies in the Wealden Local Plan and the National Planning Policy Framework.

Main Issue

3. The main issue is whether the submitted details intended to discharge condition 6 would preserve particular features of the Building and therefore preserve the Building itself and the features of special architectural or historic interest which it possesses.

Reasons

4. The Building has its origins in the 17th century (or earlier). It is a former miller's house and the only surviving building of the post-medieval watermill at Waldron. Historic additions and alterations using a variety of materials and styles have produced a layered, complex and interesting building. In so far as it relates to this appeal, the relevant aspects of the Building's significance derive from the evidential, historic, and aesthetic value of its timber framed core.
5. The Heritage Statement included with the application for Listed Building Consent details works relating to the cleaning and paint removal of areas of exposed timber, including historic joists and beams, with the aim of reinstating their original appearance. Sympathetic sandblasting is cited as the proposed method for cleaning the timber.
6. The Council's statement of case questions the extent of the works. Notably whether they relate to paint removal only or include varnishes and stains. It is not a function of this appeal to determine the scope of the given Listed Building Consent. That is a matter between the Council and the Appellant in the first instance.
7. However, even if for present purposes only the scope is taken to include varnishes and stains, there is a fundamental absence of detail about the extent of the works. The approved drawings contain minimal annotation and do not assist with clarification. In this context, identification of the timbers that are to be the subject of the works lacks the necessary clarity.
8. Further, a single method of cleaning is proposed across a layered and complex historic core. Timbers appear to survive in varying states, sizes, existing treatments, and can be assumed to vary in their sensitivity and potential to contain elements of evidential value.
9. As well as the absence of specific detail of which timbers are to be the subject of the works, there is no survey of their condition or historic and evidential interest. In these circumstances, while I appreciate the condition requires approval of a sample, the supporting information coupled with the Appellant's single and holistic method of timber cleaning does not demonstrate the required level of certainty that the features of the Building of historic, evidential and aesthetic value would be preserved.
10. The term 'sympathetic sandblasting', as distinct from simply 'sandblasting', is objectively imprecise. Condition 6 specifically stipulates a non-abrasive cleaning method. The Appellant's justification for its use is not based on a proper evidential understanding of this sensitive context and, therefore, its wholesale use lacks a suitable basis. Theoretical arguments for or against the method and examples of use on other buildings are of limited assistance for what is a context specific decision.
11. While any method of cleaning relies on skilled crafts people, and I do not doubt the skill in this case, the starting point must be a shared understanding of the extent of the works, the sensitivity of the existing fabric, and the methodology that is to be followed. In this case, the proposal lacks proportionate evidence on each count.

12. For these reasons, the submitted details intended to discharge condition 6 would not demonstrably preserve particular features of the Building and therefore preserve the Building itself and features of special architectural or historic interest which it possesses.

Conclusion

13. The appeal is dismissed.

D R McCreery

INSPECTOR