



Appeal Decisions

Site visit made on 29 October 2025

by **Timothy C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 April 2026

Appeal A Ref: APP/C1435/W/25/3368290

Chasewood Cottage, Frant Road, Frant, Tunbridge Wells, East Sussex TN3 9HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mrs Maria Khan against the decision of Wealden District Council.
 - The application Ref is WD/2025/0807/F.
 - The development proposed is demolition of existing single storey porch from 2015 and WC from 1985. Creation of two storey side extension and single storey rear extension together with the insertion of two conservation grade rooflights in existing catslide roof at grade II listed cottage.
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Appeal B Ref: APP/C1435/Y/25/3368291

Chasewood Cottage, Frant Road, Frant, Tunbridge Wells, East Sussex TN3 9HG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mrs Maria Khan against the decision of Wealden District Council.
 - The application Ref is WD/2025/0806/LB.
 - The works proposed is demolition of existing single storey porch from 2015 and WC from 1985. Creation of two storey side extension and single storey rear extension together with the insertion of two conservation grade rooflights in existing catslide roof at grade II listed cottage.
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Decisions

1. Both appeals are dismissed.

Preliminary Matters

2. During the appeal process resubmissions were put to the Council, with new applications made on revised proposals for both planning permission and listed building consent for the majority of the above works proposed. The Council has since confirmed that the scheme was approved on both counts by way of decision notices issued on 24 November 2025. This means that the proposed two-storey extension, and the installation of the rooflights now enjoy both planning permission and listed building consent (LBC). The porch's proposed demolition also now has LBC.
3. In the circumstances, for the current appeals, only the single-storey extension remains for consideration, along with the intended demolition of the WC, and I shall limit my assessment, accordingly.
4. As the two appeals concern the same development, albeit under different but complementary legislation, I shall deal with both appeals together in my reasoning. In reaching my decision I have had regard to the statutory duties under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The Council, in refusing planning permission, raised an objection as to the potential effect on great crested newts. During the appeal process the Council has confirmed that the appellant has since afforded herself of the Council's District Level Licensing Scheme to evidence that mitigation measures have been taken and any impact in this regard has been dealt with. Nature Space has issued a Certificate to this end, which is appended to the appellant's Statement of Case. Accordingly, the Council does not wish to pursue this reason for refusal.

Main Issues

6. The main issue on both appeals is whether the proposal would preserve Chasewood Cottage, a two-storey Grade II listed dwelling, and any of the features of special architectural or historic interest that it possesses.
7. As regards Appeal A there would be the additional issue as to the effect of the development on the High Weald National Landscape, (HWNL), within which the site also falls.

Reasons

Special interest and Significance

8. Chasewood Cottage, is a distinctive two-storey building dating from the early 19th century. Its official list entry describes it as an ornamental cottage of the Eridge Castle Estate cottage dating from the early 19th century. Certain distinctive features are gabled roofs and casement windows. Set into its curtilage, behind verdured boundaries, and at a considerably lower land level than the highway, the dwelling cannot be readily viewed therefrom.
9. The setting of a listed building refers to the surroundings in which the heritage asset is experienced. Here it is also surrounded by woodland in its HWNL location. The Council mentions that, as a locally distinctive historic building, it provides a positive contribution to the HWNL's character, in which, it is understood, there are other examples of such.
10. The building has been subject to some significant enlargements and alterations over the years, but it would appear that its character remains intact and there remains some noteworthy features such as its particular roof design and distinctive chimney stack.
11. Paragraph 212 of the National Planning Policy Framework (the Framework) states that, when considering the significance of a designated heritage asset, great weight should be given to that asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration of the heritage asset and, in instances where harm is identified. This is irrespective of the considered level of harm that would arise. The degree of such is a matter for the decision maker's assessment, and this must be given considerable weight, and requires convincing justification.
12. In summary, the significance of this listed building relates to its historic style and architectural features and its setting within the HWNL.

Effects of the appeals proposal

13. The appellant makes reference to the fact that the proposed single storey extension, to be positioned to the rear of the building, would comprise an add-on to a two-storey extension granted in 1984. This extension was approved, with both planning permission and listed building consent granted, and was subsequently built out. It was, though, a modest development which, I observed, integrated well into the building's profile and fabric.
14. In contrast, I consider that the now proposed addition would, by its very form, depth and flat-roofed design, represent a much more prominent development due to its contextual setting. I have reached this conclusion notwithstanding the recent approval of the two-storey extension.
15. I take issue with the appellant's view that the extension's intended design and use of brick, in a contemporary way, would contrast with, but complement, the dwelling and appear as a subordinate feature. I am not of the view that its proposed form, and its expanse of uncharacteristic flat roof, would preserve the building's significance. The fact that this sizeable extension would not be visible from the front of the property, which would be unchanged, is not a determinative factor, as it does not alter the fact that the architectural and historic value of the listed building as a whole is at risk from such development, and this would starkly contrast with its characteristic features.
16. Accordingly, the proposed extension and its prominence would be harmful to the building's significance as a modest estate cottage.
17. Listed buildings, as designated heritage assets, are an irreplaceable resource and the Framework is clear that they should be conserved in a manner appropriate to their significance, which I have found not to be the case with the appeals before me, and I must agree with the Council that, for the purposes of the Framework, it would give rise to less than substantial harm.

Public benefits and balance

18. The advice within the Framework is that firstly, it needs to be identified whether there would be harm, and the second stage is whether public benefits weigh against this harm. Here, I have found that this considerably sized extension would fail to preserve the special architectural and historic interest of this Grade II listed building, and it would thereby harm its significance as a designated heritage asset.
19. Turning to public benefits, these should flow from the development and could be anything that delivers economic, social or environmental objectives. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. Examples of such may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting - which it fails to do - or securing the asset's optimum viable use in support of its long term conservation. Regarding the latter, the building is already a family-sized dwelling and the additional floorspace provided by the extension is for its conviviality and the private enjoyment of its occupiers. Neither is the building at risk and, externally, it appears in reasonable condition.
20. Although the additional floorspace would obviously benefit the appellant's family the optimum viable use of the building would not be dependent on the said extension.

Instead, this particular proposal represents the appellant's aspiration to increase the floorspace further. Accordingly, I have not identified any actual public benefits arising from the proposed works.

21. The development plan for the Wealden District Council area comprises the Wealden Local Plan (WLP) along with the Wealden Core Strategy (WCS). Policies of greatest relevance are WLP policies EN6, which requires that development within the HWNL will only be permitted if it enhances the natural beauty and character of the landscape, and EN27, along with DC19 which, taken together, require that development be of an appropriate scale and design, and should have regard to its landscape setting. WCS policy SPO2 reflects the aims of the said WLP policies.
22. The Framework advises that National Landscapes should have the highest level of protection. In this particular instance, although the proposal is of limited scale in the much wider context, it would neither conserve nor enhance the landscape.
23. Clear and convincing justification has not been provided for the development and works which would compromise the building's conservation to an unacceptable degree. Further, these would not conserve it in a manner appropriate to its significance.

Other Matter

24. It would appear from the drawings that the ground floor WC's demolition was proposed to facilitate the erection of the proposed single-storey rear extension, and it does not form part of the scheme recently approved by the Council. Given my decision to dismiss Appeal A the demolition works to the WC would appear not to be required.

Conclusions

25. I conclude that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building, Chasewood Cottage, and its setting would be harmed. There are insufficient public benefits to outweigh the totality of harm and, as such, the proposal would be contrary to the requirements of sections 16(2) and 66(1) of the said Act and the Framework.
26. It would also be in clear conflict with the aims and requirements of WLP policies EN6, EN27 and DC19, WCS policy SPO2 and the design principles of the Wealden Local Plan.
27. Accordingly, I find that it conflicts with the development plan as a whole, and there are no material considerations which indicate that the decision on Appeal A should be made other than in accordance with the Plan.
28. For the reasons given, I conclude that both Appeals A and B should be dismissed..

Timothy C King

INSPECTOR