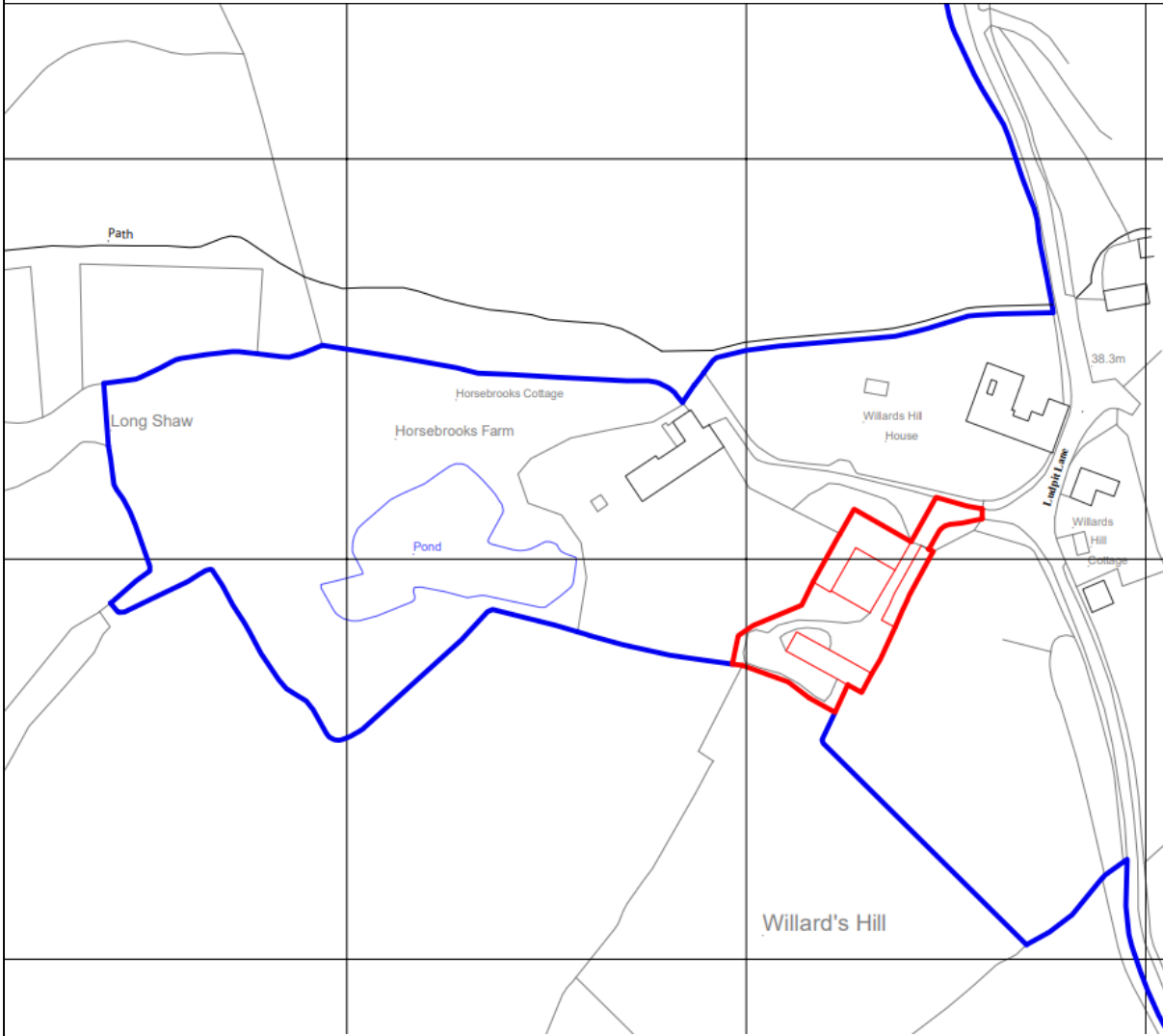


<p>SITE PLAN</p> <p>RR/2022/2201/L</p>	<p>BURWASH</p> <p>Horsebrooks Farm Ludpit Lane</p>
	
<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. (Crown Copyright). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. No further copies may be made. Rother District Council Licence No. 100018643 2013</p>	<p>Not to Scale</p>

Rother District Council

Report to	-	Planning Committee
Date	-	15 December 2022
Report of the	-	Director – Place and Climate Change
Subject	-	Application RR/2022/2201/L
Address	-	Horsebrooks Farm, Ludpit Lane, Burwash TN19 7DB
Proposal	-	Retention and conversion of curtilage Listed Cowshed, retention, rebuilding and repair of curtilage Listed Farmyard Walls, part retention of the Dairy Block, demolition of modern agricultural buildings and erection of a two-storey detached dwelling, with garage, associated hard and soft landscaping and car parking.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **REFUSE LISTED BUILDING CONSENT**

Director: Ben Hook

Applicant:	Mr C. Canetty-Clarke
Agent:	Dowsett Mayhew Planning Partnership
Case Officer:	Mr M. Simmonds (Email: mark.simmonds@rother.gov.uk)

Parish:	BURWASH
Ward Members:	Councillors J. Barnes and Mrs E.M. Kirby-Green

Reason for Committee consideration: Councillor Call-In: benefits of scheme and lack of harm to Area of Outstanding Natural Beauty

Statutory 8-week date: 26 October 2022
Extension of time agreed to: 20 December 2022

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 Despite the amendments to the scheme, the scale of the proposed dwelling is considered to still be excessive. The previously refused application consultation stated that the principle of the demolition of the corrugated metal barns and remodelling of the 1940's agricultural building is acceptable, though the remodelling as it is described is essentially reconstruction. The scale of the proposed dwelling is considered to be excessive. The officer recommendation is to refuse Listed Building Consent.

2.0 SITE

- 2.1 Horsebrooks Farm is a 90 acre part hay/part arable farm set in the rolling and heavily-wooded countryside of the High Weald Area of Outstanding Natural Beauty (AONB) between the villages of Burwash, Robertsbridge and Etchingham. To the west of the farmyard is Horsebrooks Farmhouse, a Grade II Listed dwelling historically associated with the farmyard largely screened from view by existing established trees.
- 2.2 There are main existing buildings within the yard: Cowshed; Hay and Cattle Barn; Stable Building; and Diary Block.
- 2.3 The site is not within a conservation area. Horsebrooks Farmhouse is a Grade II Listed Building, the listing is as follows:
- Listing Date 13 May 1987 List Entry No. 1276847 – Possibly once a farm building of Willard's Hill (House) and now converted into a dwelling. Probably C17. Two storeys. Three windows. Ground floor red brick, above le-hung. Tiled roof. Casement windows.*
- 2.4 Horsebrooks Farm is also, within the wider setting of Willard's Hill, Old House, The Cottage and Willard's Hill Farmhouse (all statutory listed buildings). The Cowshed and boundary wall are also curtilage Listed.

3.0 PROPOSAL

- 3.1 The proposal is for the retention and conversion of curtilage Listed Cowshed, retention, rebuilding and repair of curtilage Listed Farmyard Walls, part retention of the dairy block, demolition of modern agricultural buildings and erection of a two-storey detached dwelling, with garage, associated hard and soft landscaping and car parking.
- 3.2 This application follows a refusal of the previous planning and listed building applications with the reference Nos. RR/2022/724/P and RR/2022/726/L. The Listed Building consent was refused under delegated powers as it was assessed as causing harm to existing heritage assets.
- 3.3 The refused application was resubmitted with some minor changes which do not notably alter the merits and considerations of the previously determined application. The revisions as detailed in the submission include:
- change of materials;
 - change of proposed French doors (new dwelling's south elevation) to windows, reducing the external glass and enhancing the agricultural design of the new dwelling;
 - incorporated existing early 19th century brick wall into new dwelling;
 - addition of photovoltaic panels to garage south roof and electric car and bike charging system;
 - reduction of dwelling roof pitch from 48 degrees to 42 degrees, reduction of roof height by 10% and reduction of roof bulk by 19%;
 - reduction of garage footprint by 31% and bulk by 34%; and

- total scheme footprint and bulk lower than existing – 4% and 7.1% respectively (this is difference between that submitted previously and new scheme). Difference between existing and new scheme is less total footprint 27.6 % and bulk 28%.

4.0 HISTORY

- | | | |
|-----|---------------|---|
| 4.1 | RR/2005/491/P | Erection of wooden field shelter for animals and wooden shed for the storage of animal feed and equipment.
APPROVED CONDITIONAL |
| 4.2 | RR/2022/724/P | Retention and conversion of curtilage Listed Cowshed, retention, rebuilding and repair of curtilage Listed Farmyard Walls, part retention of the Dairy Block, demolition of modern agricultural buildings and erection of a two-storey detached dwelling, with garage, associated hard and soft landscaping and car parking.
REFUSED |
| 4.3 | RR/2022/726/L | Retention and conversion of curtilage Listed Cowshed, retention, rebuilding and repair of curtilage Listed Farmyard Walls, part retention of the Dairy Block, demolition of modern agricultural buildings and erection of a two-storey detached dwelling, with garage, associated hard and soft landscaping and car parking-
REFUSED |
-

5.0 POLICIES

- | | |
|-----|---|
| 5.1 | The following policies of the Rother Local Plan Core Strategy 2014 are relevant to the proposal: <ul style="list-style-type: none"> • EN2: Stewardship of the Historic Environment |
| 5.2 | The following policies of the Development and Site Allocations Local Plan are relevant to the proposal: <ul style="list-style-type: none"> • DIM2: Development Boundaries • DEN1: Maintaining Landscape Character • DEN2: The High Weald AONB |
| 5.3 | The following policies of the Burwash Neighbourhood Plan 2020-2028 are relevant to the proposal: <ul style="list-style-type: none"> • GP02: Heritage |
| 5.4 | Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to local planning authorities when considering whether to grant listed building consent, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. |
| 5.5 | The National Planning Policy Framework and Planning Policy Guidance are also material considerations. |
-

6.0 CONSULTATIONS

6.1 Planning Notice

6.1.1 A number of letters of support have been received from the public voicing general support for the proposal under planning reference No. RR/2022/2199/P.

6.1.2 All comments can be viewed in full on the Council's website.

6.2 Parish Council – **SUPPORT**

6.2.1 The Planning Committee of Burwash Parish Council met on 17-10-22 and resolved to support this application with the following comments:

- The Applicants have worked hard to produce a design to match the High Weald Design Guide.
- The Applicants are requested to support and adhere to the Burwash Neighbourhood Plan Policy ENO4, the protection of dark skies, by providing coverings at night for the glass on the planned buildings. This has been agreed by the applicant.
- Amended plans show a reduction of the original footprint of the building and will restore and regenerate the current building which the committee felt was more in keeping with its position in the AONB.
- The Committee felt that the site is well positioned and cannot be seen from the surrounding footpaths and road.
- Site is situated on brownfield classified land.
- Positive inclusion of electric charging points and electric bikes to promote sustainability for the new dwelling.

7.0 APPRAISAL

7.1 Heritage

The site sits outside of the development boundary for the settlement of Burwash as shown in the Burwash Neighbourhood Plan (Inset Map A) set between the villages of Burwash, Etchingam and Robertsbridge.

7.2 Policy EN2: Stewardship of the Historic Built Environment of the Rother Local Plan Core Strategy requires developments to: reinforce the special character of the District's historic settlements, including villages, towns, and suburbs, through siting, scale, form, and design.

7.3 Policy GP02: Heritage of the Burwash Neighbourhood Plan requires development proposals to complement and enhance the distinctiveness of the local vernacular, buildings, structures and other features and their setting of historic significance.

7.4 The submission has undertaken an appraisal of the site and surrounding assets to establish their value and refers to the Historic Buildings Appraisal (HAB) that identifies the following buildings and appraises their significance and importance as a heritage building:

- Cowshed dates from between 1800-1840 and is of moderate heritage value.

- Farmyard Wall dates from 1814 – moderate heritage value.
 - Hay and Cattle Barn dates from between 1965-1974 – negative heritage value.
 - Stable Building dates from between 1948-1965 – negative heritage value.
 - Dairy Block dates from between 1948-1965 – low heritage value.
- 7.5 Despite the amendments to the scheme, the scale of the proposed dwelling is considered to still be excessive. The previously refused application consultation stated that the principle of the demolition of the corrugated metal barns and remodelling of the 1940's agricultural building is acceptable, though the remodelling as it is described is essentially reconstruction. The scale of the proposed dwelling is considered to be excessive, being 9.3m high, 13.5m wide and approximately 8.1m deep and will not only dwarf the stone built dairy shed (being 4.5m high and 4.4m deep) but also be considerable in scale when compared to the farmhouse to an unacceptable degree. The existing agricultural barns are approximately 5.7m high which only provides a further contrast as to the excessive scale of the proposed.
- 7.6 In terms of design and aside from the already unacceptable scale, the north east elevation is considered to carry some agricultural character but the south west elevation is clearly a departure to a more domesticated form, with an extensive use of glass, introduction of symmetry resulting in a façade that is considered to be a style of mock agricultural architecture being neither residential or functional in appearance, that will have a negative impact upon the general appearance, and setting of listed buildings and the wider rural setting. The installation of three rooflights into the roof slope of the field access roof is also considered to be an excessive addition.
- 7.7 The rebuilding of the stone Dairy Shed to a degree is welcomed as sufficient evidence of original form has been provided, however, the use of weatherboarding and timber to reform the part of the structure that was lost to fire is considered to not have a sufficient aesthetic relationship to the existing and would require amendment to a matching material. It is also considered that rebuilding in any other material would be a transition to speculative rather than evidence-based reconstruction which is not acceptable.
- 7.8 The associated 3-bay open garage is considered to be acceptable and is of an appropriate scale being approximately 5m in height to the ridge line. Therefore, in summary the principle of demolishing the 20th century elements currently in place is acceptable from a heritage perspective and the rebuilding of the Dairy Shed is considered acceptable in principle, but the specification, use of materials that do not match is not acceptable. The existing agricultural barns are approximately 5.7m high which only provides a further contrast as to the excessive scale of the proposed. The level of impact that the development will have in terms of scale is also considered to be detrimental to the setting and sense of place within the area of a number of other Grade II Listed Buildings including Willards Hill (68m distance) and Willards Hill Cottage (72m distance).
- 7.9 It is concluded that in terms of the overall bulk it remains excessive and will have an overbearing effect on the Grade II Listed Buildings in the vicinity which will detract from the overall character and contribution the listed buildings make to the area.

- 7.10 Therefore it is considered that the proposal fails to comply with chapter 16 of the National Planning Policy Framework, Paragraphs 194, 197, 200, 2001 and 202 Local Policies EN2 of the Rother Local Plan Core Strategy, Policy GP02 of the Burwash Neighbourhood Plan and Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
-

8.0 PLANNING BALANCE AND CONCLUSION

- 8.1 On balance, the revised proposal results in an overbearing effect on the Grade II Listed Building located in the vicinity of the proposal which will detract from the overall character and contribution the listed buildings make to the area. On this basis it is considered that the proposal fails to comply with Chapter 16 of the National Planning Policy Framework, Paragraphs 194, 197, 200, 2001 and 202, Local Policies EN2 of the Rother Local Plan Core Strategy, Policy GP02 of the Burwash Neighbourhood Plan and Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
-

RECOMMENDATION: REFUSE (LISTED BUILDING CONSENT)

REASONS FOR REFUSAL:

1. The proposal will cause significant harm to the setting of existing heritage assets by virtue of the unacceptable size, scale and siting of the proposed new dwelling resulting in an overbearing effect on the adjacent Grade II Listed Buildings located in the vicinity of the proposal, which will detract from the overall character and contribution the listed buildings make to the area, the proposals intrude into the setting of the existing listed buildings to a harmful extent damaging their significance value as heritage assets and it is, therefore considered that the proposal fails to comply with Chapter 16 of the National Planning Policy Framework, Paragraphs 194, 197, 200, 2001 and 202, Local Policies EN2 of the Rother Local Plan Core Strategy, Policy GP02 of the Burwash Neighbourhood Plan and Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal. However, the issues are so fundamental to the proposal that it would not be possible to negotiate a satisfactory way forward and due to the harm, which has been clearly identified within the reason(s) for the refusal, approval has not been possible.