

HERITAGE PROOF OF EVIDENCE

THOMAS COPP

Land at Bird in Eye Farm

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Heritage Proof of Evidence

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REPORT

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1 INTRODUCTION

- 1.1 My name is Thomas Copp and I am a Director of Built Heritage at RPS, having been at RPS for 9 years. I hold a first degree (Bachelor of Arts with Honours) in History from the University of Leicester and a postgraduate degree (Master of Arts with Distinction) in Urban Conservation from the University of Leicester. I am an IHBC Associate, accredited in conservation practice that evaluates change in the built and historic environment, and have experience of acting for various clients in the private, public and charity sectors, alongside experience working in the public sector. In my current position I have appeared as a built heritage expert witness at Examinations in Public, Appeal Hearings, Public Inquiries and in the Magistrates Court.
- 1.2 I was instructed to provide evidence at this Inquiry related to Land at Bird in Eye Farm, South of Bird in Eye Hill, Framfield, Uckfield TN22 5HA (referred to as the Appeal Site within this Proof) in July 2023, following the Case Management Conference (CMC) held in June 2023.
- 1.3 Prior to my involvement, my colleague Mrs Joanne Evans, provided a Built Heritage Statement (BHS) (RPS; 2021) (CDA.29) as part of the planning application. An updated Statement was provided in March 2022 (the updated BHS) (CDA.45) following comments made by the Council and revisions to the proposed development. The BHS was prepared following of an earlier assessment, which identified the key heritage-related opportunities and constraints associated with the development of the Appeal Site.
- 1.4 I have reviewed the application documents, including both the BHS and updated BHS. I have set out my assessment within this Proof of Evidence to assist with the determination of this Appeal.
- 1.5 I have visited the Appeal Site and surrounding area and conducted a review of the relevant heritage asset from within the Appeal Site on the 14th July 2023. I have also reviewed the site photographs taken by Mrs Evans related to previous site visits.
- 1.6 In preparing this Proof, I have reviewed the application documents and comments, including the consultation comment prepared by the Council's Senior Heritage Officer. I have also reviewed the Council's Statement of Case and the CMC Note issued by the Inspector.
- 1.7 The evidence I have prepared and provide for this Appeal (PINS reference APP/C1435/W/22/3307820) in this Proof of Evidence is true and has been prepared and is given in accordance with the guidance of my professional institution, the Institute of Historic Building Conservation. I confirm that the opinions expressed are my true and professional opinions.

Background and Scope of Evidence

- 1.8 The Appeal Scheme comprises:
- "Outline planning application for the erection of up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102".*
- 1.9 The Appeal is made against Wealden District Council's failure to determine the planning application and there are therefore no reasons for refusal. However, the Council have produced a Statement of Case (CDC.2) which sets out their case for the Appeal. No reference is made to heritage assets within the Statement of Case and the Council have not identified any harm to the significance of any heritage assets during the course of the application or appeal. The Senior Heritage Officer's Consultation letter (CDB.14; dated 22 November 2021) confirmed that:
- There is one listed building located in the vicinity of the application site and this is the Grade II listed Oast House at Bird in Eye Farm. A robust and comprehensive heritage statement has been submitted with the application that has considered the potential for impact on the setting of the listed building and has followed guidance set out with the Historic England Guidance on assessing 'Setting' within GPA3.*

Subject to a layout at reserved matters that is informed by a thorough understanding of the setting of the listed building, it should be possible to accommodate development proposed within the red line area without harm to the significance of the listed building. I note all matters are reserved accept for access which would therefore allow the amount of units and their size (detached, semidetached, terraced), layout (including positioning of buildings), appearance and landscaping to be properly considered at reserved matters stage, fully informed by the constraints of the setting of the listed building and to show heritage benefits in the development of this site.

- 1.10 No heritage harm has therefore been identified by the Council in relation to this application and appeal and, instead, the Council have acknowledged that the proposed development offers the opportunity for heritage benefits. I also note that the Rule 6 party's Statement of Case (CDC.6 makes no comment on heritage matters, and does not allege that the appeal scheme will cause any heritage harm.
- 1.11 The Inspector has, however, requested in their CMC Note that a round table session should be held (see paragraph 12). The Inspector stated:
- Although not raised in the conference, now the Inspector is in receipt of the appellant's Heritage Statement, please be put on notice that it is likely that there will be a round table session on heritage*
- 1.12 This Proof of Evidence has been prepared to provide detailed consideration of the heritage matters relevant to this Appeal, to assist the discussion of heritage matters at the Inquiry. Given the findings of the updated BHS, which identified impacts to only one heritage asset (the Grade II listed Oast House to the north-west of Bird in Eye Farmhouse), and the comments provided by the Senior Council's Heritage Officer, which only discussed the Oast House, it is considered that the Oast House at Bird in Eye Farm is the only heritage asset relevant to this Appeal. Consideration is given to that listed building only. It is described throughout this report as the Oast House (capitalised) with more general references to the building typology in lower case.
- 1.13 This Proof of Evidence provides an assessment of the significance of the Oast House and the impacts that the proposed development of the Appeal Site will have on that significance, in accordance with the "5-step" process set out in *GPA3: The Setting of Heritage Assets*. This includes a response to the points raised by the Council in their evidence.
- 1.14 All plans and photographs within the Appendices to this Proof are provided for illustrative purposes only.

2 APPEAL SITE AND RELEVANT HERITAGE ASSETS

- 2.1 The Appeal Site is located to the south of Bird in Eye Hill and surrounds Bird in Eye Farm, located to the east of Uckfield on elevated land. Bird in Eye Farm was established in the late 18th century on land held by the Buxted Park Estate. It was a mixed agricultural operation, with the 1841 Framfield Tithe map providing the first detailed account of the farm. At this time the entire farm was owned by Robert Stone, with the farmhouse (described as house and garden) occupied by James Jeffrys. The wider farm was occupied by Henry Shapley and is a mixture of arable and pasture land. The farm at this time comprised an oast house (the listed building), barn, stable, dairy, cowshed, enclosed yard and tackle store.
- 2.2 The farmstead has seen considerable alteration in the 20th century, with the latter part of the 20th century seeing the conversion and significant alteration of the original farmhouse and the construction of a new building further east. The historic barn (which likely dates from the late 18th or early 19th century) has also seen substantial alteration to adapt to a new use as a radio studio and offices. The Oast House has been converted to use as a chiropractors, while to the east a number of commercial buildings have been constructed.
- 2.3 The wider land is now a mixture of pasture and grazing land for horses, with the land to the west of the Oast House (within the Appeal Site) used for grazing. This has changed the character of the farm from a mixed agricultural enterprise to a commercial venture with paddocks for horses, which has led to the further subdivision of fields and the construction of associated facilities including stabling and a manege. The Appeal Site is privately held land, and there is no public right of access to the parts of the Site from which material views of the Oast House are permitted. The Appeal Scheme will change this.
- 2.4 The BHS identified that the Appeal Site forms part of the setting of the following heritage assets:
- The Oast House to the north west of Bird in Eye Farmhouse (Grade II; NHLE 1028381), described as the Oast House within this Proof of Evidence
 - Framfield Place (Grade II*; NHLE 1028364)
 - The Stables to the north west of Framfield Place (Grade II; NHLE 1192036)
- 2.5 However, it concluded that due to the enclosed settings of Framfield Place and the Stables, the distance from the Site and strength of intervening planting the proposals would have no impact on the significance of these listed buildings. I agree with these conclusions.
- 2.6 The BHS also assessed the existing former farm buildings within Bird in Eye farm, but concluded that due to the extent of alteration (both to the buildings and their settings), they are of little significance and their importance primarily lies in what they contribute to our understanding of the listed Oast House. Again, I agree with these conclusions. They are not therefore considered to be non-designated heritage assets and are not assessed within this Proof, which focuses solely on the Oast House. No other heritage assets have been identified by the Council or the Inspector as being relevant to this Appeal and no additional heritage assets were identified at the previous appeal which considered part of the Appeal Site. Section 4 considers the Oast House in more detail.

3 RELEVANT LEGISLATION, POLICY AND GUIDANCE

3.1 The following legislation, policy and guidance is directly relevant to this Proof of Evidence.

Planning (Listed Buildings and Conservation Areas) Act 1990

3.2 Section 66 of the Act states:

In considering whether to grant planning permission [F152or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Policy Framework (Ministry of Housing, Communities and Local Government, July 2021)

- 3.3 The NPPF defines a heritage asset as a: *'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'*. This includes both designated and non-designated heritage assets.
- 3.4 Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage assets are *'an irreplaceable resource, and should be conserved in a manner appropriate to their significance'*.
- 3.5 For proposals that have the potential to affect the significance of a heritage asset, paragraph 194 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 195, which requires LPAs to take this assessment into account when considering applications.
- 3.6 Under *'Considering potential impacts'* paragraph 199 states that *'great weight'* should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- 3.7 Paragraph 201 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 202 requires this harm to be weighed against the public benefits of the proposed development.
- 3.8 Paragraph 206 states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance and that proposals that better reveal the significance of an asset should be treated favourably.
- 3.9 The meaning and effect of the 1990 Act and its relationship with the NPPF have been tested in the Courts on numerous occasions. The Bramshill judgment (CDF.10, full citation Bramshill v SSHCLG [2021] EWCA Civ 320) considered the paragraph 202 balance, where less than substantial harm to a designated heritage asset is identified, in detail.
- 3.10 At paragraph 78, it was concluded that cases vary and that:
- [t]here might, for example, be benefits to the heritage asset itself exceeding any adverse effects to it, so that there would be no "harm" of the kind envisaged in paragraph 196.*

- 3.11 This illustrates that heritage harms and benefits can appropriately be considered together to judge whether there is any harm to the significance of the asset. This allows an understanding of the residual impact to the significance of the heritage asset, whereby heritage benefits, or enhancements, may offset or outweigh any heritage harms.

Planning Practice Guidance (DCLG)

- 3.12 The PPG defines the different heritage interests as follows:
- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
 - architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
 - historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.
- 3.13 The PPG also expands on the NPPF and provides guidance related to harm to significance and the definition of "less than substantial harm".
- 3.14 This is confirmed by paragraph 018 of the PPG (full text provided at CDF.1) which states:
- Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated*

GPA3: The Setting of Heritage Assets (Second Edition; December 2017) (CDF.5)

- 3.15 This advice note focuses on the management of change within the setting of heritage assets, to aid practitioners with the implementation of national legislation, policies and guidance relating to the setting of heritage assets found in the 1990 Act, the NPPF and PPG.
- 3.16 As with the NPPF the document defines setting as '*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve*'. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset, or the ability to appreciate that significance. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.
- 3.17 While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, and thus the way in which an asset is experienced, setting also encompasses other environmental factors including noise, vibration and odour. Historical and cultural associations may also form part of the asset's setting, which can inform or enhance the significance of a heritage asset.
- 3.18 This document provides guidance on practical and proportionate decision making with regards to the management of change within the setting of heritage assets. It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further

weighing up the potential public benefits associated with the proposals. It is further stated that changes within the setting of a heritage asset may have positive or neutral effects.

- 3.19 Positive changes may include the restoration of historic features or views, the removal of negative elements within the setting of a heritage asset, or the provision of public access and public views, aiding the interpretation and appreciation of the asset.
- 3.20 The document also states that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting, and that different heritage assets may have different abilities to accommodate change without harming their significance. Setting should, therefore, be assessed on a case-by-case basis.
- 3.21 Historic England recommends using a series of detailed steps in order to assess the potential effects of a proposed development on significance of a heritage asset. The 5-step process is as follows:
1. Identify which heritage assets and their settings are affected;
 2. Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow significance to be appreciated;
 3. Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it;
 4. Explore ways to maximise enhancement and avoid or minimise harm; and
 5. Make and document the decision and monitor outcomes.

Wealden Local Plan (adopted 1998)

Policy EN22

In order to protect the character and appearance of buildings listed as being of special architectural or historic interest:

(1) proposals for any external or internal alteration, change of use, addition to a listed building, or display of signs and advertisements which would have an adverse effect on its character and appearance will be resisted;

(2) all building materials, doors, windows and other architectural features should respect the character and appearance of the listed building;

(3) proposals which would adversely affect the setting of a listed building will be resisted;

(4) in very exceptional cases and where demonstrated to be necessary in order to secure the retention of a listed building, the Council may relax normal development control policies.

- 3.22 The above policy, specifically clause three, does not allow for any benefit between heritage harms and wider benefits, as required by paragraphs 202 and 203 of the NPPF. It is therefore considered to be out of date in this regard.

Wealden Core Strategy (2012)

- 3.23 The Wealden Core Strategy was adopted in 2012. The Core Strategy does not include any specific policies in respect of the historic environment. However, SP02 states that,

We will ensure that the intrinsic quality of the historic environment is protected and that Wealden's environmental, heritage and cultural assets are used appropriately to encourage suitable tourism development and support inward investment

4 DESIGN DEVELOPMENT

- 4.1 To ensure the proposed development responds appropriately to the setting and significance of the Oast House, an iterative design process has been undertaken. This included the production of an initial heritage assessment, informed by a site visit, which identified important views of the Oast House from the west. These views, taken from lower lying land, permit an experience of the listed building set within its changed farmstead setting. The distinctive form of the building and its landmark qualities, in a local context, can be experienced from here.
- 4.2 The proposals have therefore been designed to maintain these views from the west, allowing for new public views and a greater appreciation of the listed building. This enables an understanding of its significance. The parameters and layout of the proposals, including this generous open space to the west, are similar to those presented at the previous appeal.



Figure 1: Extract from Design and Access Statement illustrating the opportunity to create new public views and an associated public open space to better appreciate the Oast House



Figure 2: Extract from the illustrative masterplan, showing the open space which will provide publicly accessible views of the Oast House

- 4.3 This follows the design approach undertaken for a previous application (and subsequent appeal) which included the western part of the Appeal Site. The appeal was heard by way of a joint Inquiry (APP/C1435/A/07/2053422). At paragraph 792, the Inspector summarise the heritage considerations as follows:

Effects on listed buildings: There are no listed buildings on or in close proximity to Downlands or BIEN. There is a grade 2 listed oast house immediately adjacent to the east of BIES [Bird in Eye South], which would be close to the proposed housing. However, neither the Council nor any other party suggests that the setting of this building would be materially harmed by the BIES proposals, which have been developed with it in mind. I agree with that.

- 4.4 This was confirmed by the Secretary of State at paragraph 13 of the decision letter.
- 4.5 The proposals therefore continue this design approach and include embedded mitigation measures, which assist in retaining an element of the Oast House's rural setting and providing new public views of the listed building from the west.

5 HERITAGE ASSESSMENT

- 5.1 The following section provides an assessment of the significance of the Oast House and the impacts to this significance arising from the development proposals. This is undertaken in accordance with the “5-step” process set out in *GPA3: The Setting of Heritage Assets* (see paragraph 3.16 for more information).
- 5.2 As set out at Section 2 of this Proof, the only heritage asset relevant to this Appeal is the Grade II listed Oast House. The listing citation is provided at Appendix D.

The Oast House

Step 1: Identify which heritage assets and their settings are affected

- 5.3 The listing description for the Oast House is brief and states:
- C19. Square stone building with slate roof and retaining its cowl. Inside, a flue (still intact) winds round the walls of the kiln. Fresh air entering at intakes near the floor was heated indirectly from the hot flue wall before rising through the hop-drying floor. Said to be the only fresh air oast surviving in Sussex. Listed for technical rarity.*
- 5.4 The Oast House has been considered in detail by Jones in *An Example of Early 19th Century Technology: Bird in Eye Oasthouse, Framfield Parish, East Sussex*¹. The document provides useful background information and is included in full at Appendix E. The significance of the Oast House was also considered in detail within the submitted BHS and updated BHS.
- 5.5 Together this information demonstrates that the Oast House was constructed in the early 19th century and is a rare surviving square kiln, which dried hops using a flue based system with an upturned funnel above the kiln. Therefore, while the listing description is correct to ascribe technical rarity to the listed building, it is not, in fact, correct to state that it is a fresh air oast house, which are extremely rare in England.
- 5.6 The form of the building is described in detail, with relevant drawings provided, at Appendix E. It was originally developed as a square building, which incorporated the kiln and stowage building in the 1820s or 1830s. Square oast houses were common in the 18th and early 19th centuries, before being supplanted by the now more common and recognisable conical buildings. The Oast House was developed to utilise John Read’s invention of a kiln connected to a system of flues within the building which would carry warm air up to and around the drying floor, providing a more gentle and consistent heat than the more traditional conical kiln, which would direct warm air straight at the hops above. The more consistent temperature provided by this method would assist in evenly drying the hops, reducing the risk of leaving pockets of moisture which could spoil a batch of beer when used for brewing. The Read system became well-used in conical oasts, with the listed building at Bird in Eye farm providing rare evidence of a square Oast House utilising the Read system.
- 5.7 The original range, which sits to the west, is constructed from stone with a pyramidal roof and cowl above, with the distinctive shape of the cowl indicating the historic use of the building. An additional cooling room was added to the north of the building in the early 20th century to provide the overall square plan form seen today. This has a half-hipped roof which adjoins the pyramidal roof to the original building. There is a small lean-to extension to the south, with this whole elevation constructed from stone. The later structure, housing the cooling room, is constructed from brick

¹*Historic Farmbuildings Group Journal* 1987, “An Example of Early 19th Century Technology: Bird in Eye Oasthouse, Framfield Parish, East Sussex” by Jones, G.

which contrasts with the earlier stone structure, while the north elevation is finished in timber weatherboarding, which was replaced relatively recently. The fenestration to this range is also a later intervention, as is the external stair which provides access to the first floor.

- 5.8 The significance of the Oast House is strongly related to its historic and architectural interest as a rare survivor of Read's kiln design, which survives almost entirely in tact, with the internal flue system and kiln also still extant. Many oast houses have seen alteration and adaptation, as well as conversion to differing uses, which has led to the loss of internal fittings and the original systems. The almost complete survival of the Oast House at Bird in Eye is therefore rare and clearly exhibits both architectural and historic interest through illustrating this technological innovation. The square form of the building and use of stone is also unusual and lends further rarity to the structure. In architectural terms, the building is a clear example of form following function, and its significance therefore lies in its use and the technological innovation expressed in the building, rather than any particular aesthetic qualities. However, much of this technology is obscured from view externally with the distinctive cowl the only clear evidence of the historic use of the structure.
- 5.9 The setting of the listed building, including the relationship between the Oast and surrounding land, has undergone significant changes in the 20th century. This has included the evolution of the farmstead, with numerous large-scale buildings constructed to the east, while the historic farm buildings (including the Oast House) have all been converted to non-agricultural uses. These buildings have also seen significant alterations to facilitate these new uses. The Oast House itself has been converted to use as a chiropractors, with associated internal alterations. However, it is understood that the kilns and flues remain in situ.
- 5.10 The listed building is now experienced from within the surrounding, altered farmyard, the neighbouring fields which are used as paddocks and in some longer-distance views. The height and location of the Oast House, with Bird in Eye farm set on a hill overlooking Uckfield, mean that there are views of the listed building permitted from Framfield Road to the north-west, where the Oast House can be seen on the horizon.

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

- 5.11 The surviving pre-20th century elements of the farmstead (the converted farmhouse and barn to the east) illustrate the development of the original farm and provide some historic context. However, these buildings have seen extensive changes and are no longer appreciated as part of a working farm. The changed uses of the buildings are reinforced by the provision of large areas of car parking and modern signage which collectively mean that these buildings, and the farmstead setting of the listed building, now makes only a limited contribution to the historic interest, and overall significance, of the Oast House.
- 5.12 The building is also experienced in medium and longer-distance range views from the Appeal Site and the lower lying land to the north-west (as described at paragraph 5.10 above). These views allow for an appreciation of the building as an oast house, distinguished by the distinctive cowl which is unique to the building typology and its unusual (though not unique) square form. The building is experienced as a local landmark which reflects one of the key historic industries in Sussex, which heavily relied on hop growing, picking and drying to supply numerous breweries. Therefore, these views allow for some appreciation of the listed building, with its historic use immediately apparent. The Appeal Site, despite its changes in appearance and use, continues to provide some rural context to the listed building and views of it from the west. This experience makes a limited contribution to the historic interest of the listed building. However, the views from the Appeal Site and further afield do not provide any understanding or appreciation of the historic and technological interest of the building, with this innovation and the system of flues not apparent from external views. The core significance of the listed building, which is tied to this technological innovation, cannot therefore be appreciated from within its setting.

- 5.13 The surviving elements of the listed building's rural setting make a limited contribution to the building's historic interest, although it is not possible to fully appreciate or understand its core significance, which is tied to the role of the building as a technologically innovative and influential oast house.

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it

- 5.14 The development proposals will cause changes to the setting of the listed Oast House. This will include an alteration to parts of its wider rural setting and the provision of public space, providing new public views of the listed building.
- 5.15 The setting of the building has seen notable change through the 19th and 20th centuries, including the construction of large-scale agricultural and commercial buildings, together with the conversion of the listed building and the historic agricultural buildings that formed Bird in Eye farm. The wider landscape has also been changed, moving from a productive landscape for the growth of hops, to paddocks primarily used for horse grazing (with associated paraphernalia including fencing and a manege). In addition, for the reasons set out at paragraph 5.11 and 5.12, the setting of the listed building does not strongly contribute to its significance given the core significance of the building lies in its architectural and historic interest as a rare and technologically innovative oast house, which is now functionally divorced from its setting.
- 5.16 The loss of parts of this rural setting will therefore not notably diminish the ability to appreciate the historic interest of the listed building and its important technological role. In addition, the development includes increased public access and informal views of the asset, providing greater opportunities to experience and appreciate the listed building from the surrounding area. Although setting is not dependent on public access or views, in this case the landmark function of the building (which is seen from a broad area) and its role in the historic agricultural development of the area, mean that public access will assist in appreciating its historic role (if not the full technological importance of the building) and landmark qualities. Overall, therefore, there is considered to be a neutral impact on the significance of the building with any potential adverse impacts that arise from the reduction in rural context, offset by the provision of new views and enhanced public access which will enhance the ability to appreciate the significance of the listed building.
- 5.17 Paragraph 206 of the NPPF states:
- Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*
- 5.18 This is supported by paragraph 38 of GPA3, which states that “*enhancement may be achieved by actions including:*
- *introducing new views (including glimpses or better framed views) that add to the public experience of the asset,*
 - *improving public access to, or interpretation of, the asset including its setting”*
- 5.19 The opportunity to provide new, public views and public appreciation of the heritage asset is therefore a benefit that stems from the proposed development and will offset any potential slight harm that may arise from the development within parts of the rural setting of the listed Oast House. The public open space could be complemented with an interpretation board (or similar) to explain the historic development, function and technological innovation of the Oast House, allowing for users of the space to better understand the significance of the listed building. This could be secured by condition.

- 5.20 In summary, the current setting of the listed building does not strongly contribute to its significance, the loss of some rural context will have a limited impact on the building's historic interest (judged on its own, this impact would be at the lowest end of the "less than substantial harm" scale, in my view), but will in any event be offset by the provision of public access and an enhanced appreciation of the listed building. There will be a net neutral effect with no heritage harm arising from the proposed development.

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

- 5.21 The proposals have been developed to respond to the setting of the listed building. A large area of public open space will be provided to the west to retain a degree of the building's rural setting and provide new public views and appreciation of the listed building from here.

Step 5: Make and document the decision and monitor outcomes

- 5.22 The proposals will preserve the special architectural and historic interest, and therefore significance, of the listed Oast House. The proposals comply with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and have been informed by the special interest and setting of the listed building.

6 CONCLUSIONS

- 6.1 The Appeal Site forms part of the setting of the Grade II listed Oast House at Bird in Eye Farm. The listed building is an extremely rare example of a square oast house, utilising Read's system of flues for drying hops. It is an unusual survivor and derives its significance from the technological innovation it displays.
- 6.2 The setting of the building does not strongly contribute to the significance of the listed building, largely due to the reasons for its designation, as well as the significant changes seen to its once agricultural setting. The development proposals represent a further change to this historic rural setting, while also introducing significant public open space to the west, allowing for an increased appreciation of the listed building, better revealing its significance.
- 6.3 The development proposals will therefore result in a neutral impact to the significance of the listed building, with its special architectural and historic interest preserved.

