

LAND AT BIRD-IN-EYE FARM

HERITAGE STATEMENT

JULY 2024



CONTENTS

1.0	INTRODUCTION	3
2.0	LEGISLATION AND PLANNING POLICY	5
3.0	HISTORICAL DEVELOPMENT	8
4.0	SIGNIFICANCE OF BIRD-IN-EYE OASTHOUSE	14
5.0	SUMMARY OF PROPOSALS	20
6.0	ASSESSMENT: HERITAGE IMPACT	21
7.0	CONCLUSION	24

APPENDICES

APPENDIX 1.0	HISTORIC ENGLAND LIST ENTRY
APPENDIX 2.0	APPEAL DECISION REF: APP/C1435/W/22/3307820
APPENDIX 3.0	EXAMPLE OF EARLY NINETEENTH-CENTURY TECHNOLOGY: BIRD-IN-EYE OASTHOUSE, GWEN JONES

1.0 INTRODUCTION

1.1 Croudace Homes (the 'Applicant') has instructed Montagu Evans LLP to prepare this heritage statement in support of an Outline Planning Application for residential development at Land at Bird in Eye Farm, South of Bird in Eye Hill, Uckfield (Framfield Parish), TN22 5HA (the 'Site'). The Local Planning Authority is Wealden District Council ('WDC').

1.2 The proposed works may be summarised as:

"Outline planning application for the erection of up to 190 dwellings, with associated works, parking, landscaping, publicly accessible open space and SANG provision, with access from the B2102."

1.3 The application is in outline with only the principle of the proposed quantum of homes, land uses and the means of access to be determined. Appearance, landscaping, layout and scale are to be reserved.

1.4 The Site is located within the setting of a Grade II listed Oasthouse. The list description for the building is provided at **Appendix 1.0** and states:

FRAMFIELD BIRD IN EYE HILL 1. 5208 Uckfield Oasthouse to the north- west of Bird in Eye Farmhouse TQ 4820 43/860 II 2. 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.

1.5 This report sets out our understanding of the listed building's significance and the contribution of setting to that significance. We also consider the impact of the Proposed Development on the setting and significance of the listed building.

1.6 **Figure 1.1** provides an aerial image of the Site.



Figure 1.1: Aerial of the Site. Source: Google Maps

BACKGROUND TO THE APPLICATION PROPOSALS PERMISSION REF WD/2021/2198/MAO

1.7 In 2021 the Applicant submitted to WDC Outline Planning Application WD/2021/2198/MAO for residential development at the Site, including a significant area of SANG. The description of development was:

'The development proposed is the erection of up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102.'

- 1.8 The application was subject of a section 78 appeal (Ref. APP/C1435/W/22/3307820) against the Council's failure to determine the application in the proscribed period.

APPEAL DECISION REF APP/C1435/W/22/3307820

- 1.9 The appeal was dismissed in a decision letter dated 12 October 2023 (Inspector H Butcher). The decision letter is provided in **Appendix 2.0**.
- 1.10 Although there was a Statement of Common Ground (SoCG) with the Council, agreeing no harm to the listed building, the Inspector had a statutory duty to consider the impact of the proposals on the setting of the listed building (section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990) and there is the cognate policy in the National Planning Policy Framework (NPPF) (then Paragraph 199 of the 2021 NPPF, now Paragraph 205 of NPPF 2023). Accordingly, any harm to a listed building is a matter of great importance and weight in the planning decision making process, albeit the identification of 'weighted harm' is rebuttable on the balance of heritage and planning benefits. Benefit to the significance of a listed building is, as a matter of policy, a weighted benefit.
- 1.11 Harm is graded as either substantial or less than substantial, and practitioners and often Inspectors, Councils and Historic England will specify the nature and extent or degree of less than substantial harm because that category is necessarily quite wide and must go from harm that only just registers to harm that comes close to being substantial.
- 1.12 In this case the Inspector concluded less than substantial harm to the setting, and significance, of the asset. She declined to identify any degree of harm within that scale (which she was not required to do by the Framework but which the PPG does support).
- 1.13 The Inspector found as follows:
- 1) The intrinsic technical interest of the asset would be unharmed;
 - 2) The proposals urbanised the rural setting of the Oasthouse (or what remained of it); and
 - 3) The identified area of land left open to present views of the house would not preserve the tranquil rural setting she identified as supporting an understanding of its original, agricultural purpose. She did not find that a proposed scheme of interpretation would offset that harm.
- 1.14 Overall, the Inspector did not consider that the planning benefits of the proposals (including 290 houses including Affordable Housing) offset that harm.

CONTENT AND STRUCTURE OF THIS REPORT

- 1.15 The NPPF requires applicants to describe the significance of any heritage assets that may be affected by a proposal, so the impact of the works on special interest may be understood. This report fulfils this requirement by presenting a summary of the significance of the Grade II listed Bird-in-eye Oasthouse, informed by the appeal decision. The report is structured as follows:
- Section 2.0 of this report provides a summary of statutory provision and applicable planning policies;
 - Section 3.0 provides a brief summary of the historical development of the Oasthouse;
 - Section 4.0 provides an assessment of the Oasthouse's significance, including the contribution made by setting;
 - Section 5.0 provides a summary of the proposals;
 - Section 6.0 presents our assessment of the proposals' heritage impact; and
 - Section 7.0 of the report provides a conclusion.

2.0 LEGISLATION AND PLANNING POLICY

LEGISLATION

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS ACT) 1990

- 2.1 The Site is adjacent to one statutorily listed building but is not located within a conservation area. With respect to this application, the applicable statutory provision is Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 (the 1990 Act), which relates to applications for planning permission affecting listed buildings, and states:

'In considering whether to grant planning permission 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 and historical interest which it possesses'.

THE DEVELOPMENT PLAN

- 2.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that where in making any determination under the Planning Acts, regard is to be had to the development plan, and the determination must be made in accordance with that plan unless material considerations indicate otherwise. The following are the pertinent documents form the statutory development plan:

- Wealden District Core Strategy Local Plan (2013); and
- 'Saved' policies of the adopted Wealden Local Plan (1998).

WEALDEN DISTRICT CORE STRATEGY LOCAL PLAN (2013)

- 2.3 Policy SPO2 of Wealden's spatial planning objectives covers aims at protecting and improving the setting of cultural heritage in Wealden and 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'.

ADOPTED WEALDEN LOCAL PLAN (1998)

- 2.4 There is no saved policy relating to development within the setting of listed buildings.

NATIONAL POLICY

NATIONAL PLANNING POLICY FRAMEWORK (2023)

- 2.5 Chapter 16 of the National Planning Policy Framework (2023) ('NPPF') considers the historic environment.
- 2.6 Paragraph 200 of the NPPF states that the significance of a heritage asset affected by development proposals should be understood, and that this understanding should be proportionate and no more than is necessary to understand the impact of a development proposal on that significance.
- 2.7 Significance is defined as *"the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance"*. The 2015 Historic England document titled 'Managing Significance in Decision-Taking in the Historic Environment' provides guidance on how to assess the significance of heritage assets.
- 2.8 Paragraph 205 of the NPPF sets out that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

2.9 Paragraphs 207 and 208 of the NPPF have regard to harm, which can either be considered substantial harm (total loss of significance) (paragraph 207) or less than substantial harm (paragraph 208). In the case of less than substantial harm, paragraph 208 states that this must be weighed against the planning benefits of a proposal. Planning benefits include heritage benefits. In other words, if there is harm to the significance of a heritage asset, a balanced judgement is required as to whether that harm is outweighed by the benefits which are offered by the development proposal as a whole.

2.10 In terms of the setting of listed buildings, paragraph 212 of the NPPF states in part that:

“Local planning authorities should look for opportunities for new development ... 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.”

OTHER MATERIAL CONSIDERATIONS

2.11 In addition to legislation and policy, the assessment will take into consideration relevant planning guidance and any material considerations, including:

- National Planning Practice Guidance (online);
- National Design Guide (2019);
- Historic England, Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (2015);
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2017); and
- Wealden Design Guide (2008)

APPLICATION OF HERITAGE POLICY SIGNIFICANCE

2.12 The *National Planning Policy Framework* places a ‘significance test’ upon development, whereby applicants are required to ‘provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance’, in order to understand the ‘potential impact of the proposal on the significance of the heritage asset.’¹ Paragraph 200 goes on to clarify ‘The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.’

2.13 The NPPF defines significance as: ‘the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic.’² English Heritage’s 2008 *Conservation Principles, Policies and Guidance* provides a further set of values: aesthetic, evidential, historic and communal.³ The *Conservation Principles* ‘values’ differ from the NPPF ‘interests’, The adopted national policy has to endure, although professionals often take a ‘palette’ approach whereby the terms are used interchangeably.

SETTING

2.14 The *National Planning Policy Framework* requires an ‘applicant to describe the significance of any heritage asset affected by a proposed development, including any contribution made by their setting.’⁴ Setting is defined 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. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*⁵

2.15 Section 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requires that for development which affects a listed building or its setting the decision maker 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.’ The effect of that provision is that the desirability of preserving the setting of a listed building must be treated as a matter of ‘considerable

¹ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

² DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

³ English Heritage, *Conservation Principles, Policies and Guidance for the sustainable management of the historic environment* (London: English Heritage, 2008)

⁴ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

⁵ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

importance and weight,⁶ with such a duty presenting a 'strong presumption' against a grant of planning permission where harm to a designated heritage asset is identified.⁷

- 2.16 The NPPF makes clear that some aspects of setting may be neutral. A *change* to setting, even a major one, may also be neutral, beneficial or harmful depending on the particular facts of any case. Case law has made clear that 'an impact is not to be equated with harm: there can be an impact which is neutral (or indeed positive).'⁸
- 2.17 Setting is not, however, an asset in its own right. 'Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.'⁹ The guidance provided by Historic England in its Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets ("GPA3") provides information on assessing the significance of heritage assets and on how one assesses the effects of development in the setting of an asset on its significance or cultural value. GPA3 is clear that visual perception matters a great deal. It is, after all, an objective measure. Historical and functional associations may be important on the facts of any case. It is clear from policy and guidance, however, and confirmed by the Courts, that impact on setting itself is not the consideration. Setting is important only to the extent it enables an appreciation of significance or contributes directly to it. Equally, visibility of a proposal does not in itself equate to a harmful impact, and it is the contribution setting makes to the importance (significance) of a heritage asset which is the appropriate consideration, including how that aspect of setting (that which contributes to significance) is affected by a proposed development.¹⁰
- 2.18 The guidance also recognises that changes to the setting of a heritage asset can enhance one's appreciation of significance, through better presentation, for example, or the creation of new views. Providing better public appreciation of a designated heritage asset, or some aspect of its significance is recognised to be desirable and an enhancement which can attract great weight in the planning balance. Equally, a setting improvement can arise if the experience of moving toward or from an asset is enhanced.

HARM

- 2.19 If a proposed development is held to cause harm to the significance of a designated heritage asset, the NPPF stipulates it be categorised as either 'less than substantial' or 'substantial'.¹¹ The NPPF does not define 'substantial', and national guidance simply states it is a 'high test'.¹² Lord Justice Lindblom, in the Court of Appeal, stated: 'what amounts to "substantial harm" or "less than substantial harm" in a particular case will always depend on the circumstances', based on 'matters of fact and planning judgment'.¹³
- 2.20 The NPPF stipulates that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The great importance and weight is consistent with the provisions set out under the 1990 Act.
- 2.21 The Court of Appeal confirmed that where a development would affect a listed building or its setting in different ways, some positive and some negative, the decision maker may conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the listed building.¹⁴ This approach was upheld by Lord Justice Lindblom who stated that the NPPF policies 'do not preclude a balancing exercise as part of the decision-making process'.¹⁵ Where public benefits - including heritage benefits - outweigh the identified harm, then permission may be granted subject to a proportionate assessment being undertaken.

⁶ *Barnwell v East Northamptonshire District Council* [2014] EWCA Civ 137

⁷ *South Lakeland District Council v Secretary of State for the Environment and Another* [1992] 2 AC 141

⁸ *Pagham Parish Council v Arun District Council* [2019] EWHC 1721 (Admin) (04 July 2019), as per Andrews, J DBE

⁹ Historic England, *The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3*, 2nd edn (Swindon: Historic England, 2017)

¹⁰ Edith Summerskill House Decision: 20/01283/FUL (Planning Application ref.) & APP/H.5390/V/21/3277137 (Appeal / Planning Inspector's Report ref.)

¹¹ DLUHC and MHCLG, *National Planning Policy Framework*, rev. edn (London: HMSO, 2023)

¹² DLUHC and MHCLG, *National Planning Policy Guidance: Historic Environment* <<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>> [3 May 2023]

¹³ *Bramshill v SSHCLG* [2021] EWCA Civ 320

¹⁴ *Palmer v Herefordshire Council & ANOR* [2016] EWCA Civ 1061.

¹⁵ *Bramshill v SSHCLG* [2021] EWCA Civ 320.

3.0 HISTORICAL DEVELOPMENT

- 3.1 Uckfield began as a small village centred around the local parish church. The area gradually expanded due to its agricultural production.
- 3.2 Historically farmland dominated the landscape surrounding Uckfield. Dense woodlands of the Weald, including Ashdown Forest to the north, provided a natural backdrop to this rural setting.
- 3.3 The area experienced further growth with the arrival of the railway in the mid C19. This spurred population growth, leading to a gradual conversion of open farmland for residential development.
- 3.4 Bird-in-Eye farm was established at the end of the 18th century as part of the Buxted Park estate. The land holding was approximately 70 acres, used for mixed agricultural purposes. It included a brick-built barn, stable, dairy, cow shed, tackle-store and enclosed yard. It is shown on the 1843 Tithe Map (**Figure 3.1**).



Figure 3.1: Tithe Map 1843. Source: Genealogist

- 3.5 The oasthouse was first recorded in a lease in 1838. At this time, it was a single kiln and stowage with a covered entrance and storage area. The house was used for drying hopes which came from the nearby fields., in the way typical Uckfield and East Sussex (where there are large concentrations of such structures).



Figure 3.2: 1874-1875 OS Map. Source: Promap

- 3.6 Uckfield's expansion is evident north of the oasthouse, along Bird-In-Eye Hill. Incremental development began in the early 1900s, as evidenced by comparing the Ordnance Survey maps of 1910 (**Figure 3.3**) and 1930 (**Figure 3.4**). These maps reveal the gradual transformation of the formerly rural area into residential housing, reflecting Uckfield's growing population.

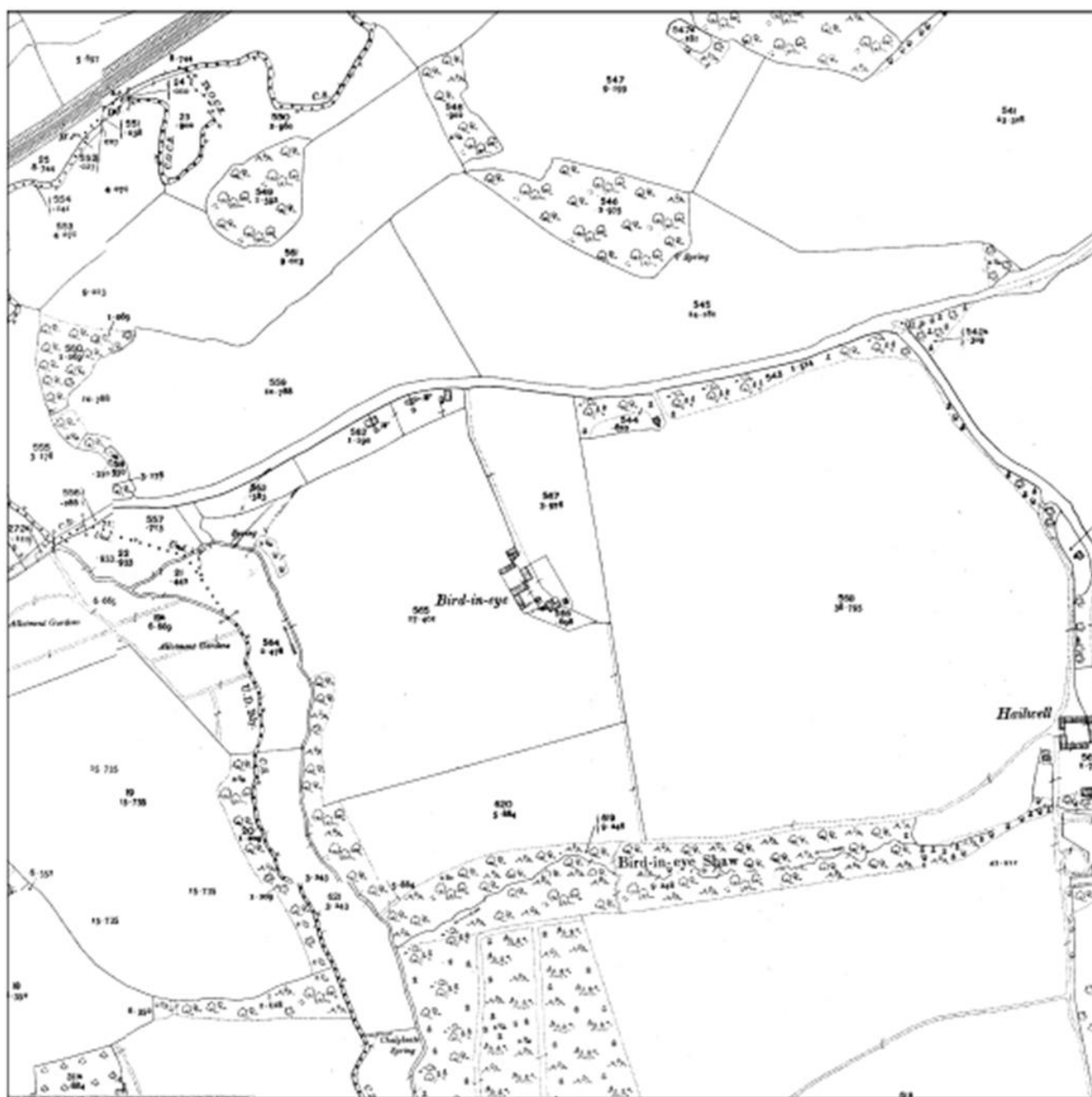


Figure 3.3: 1910 OS Map. Source: Promap.

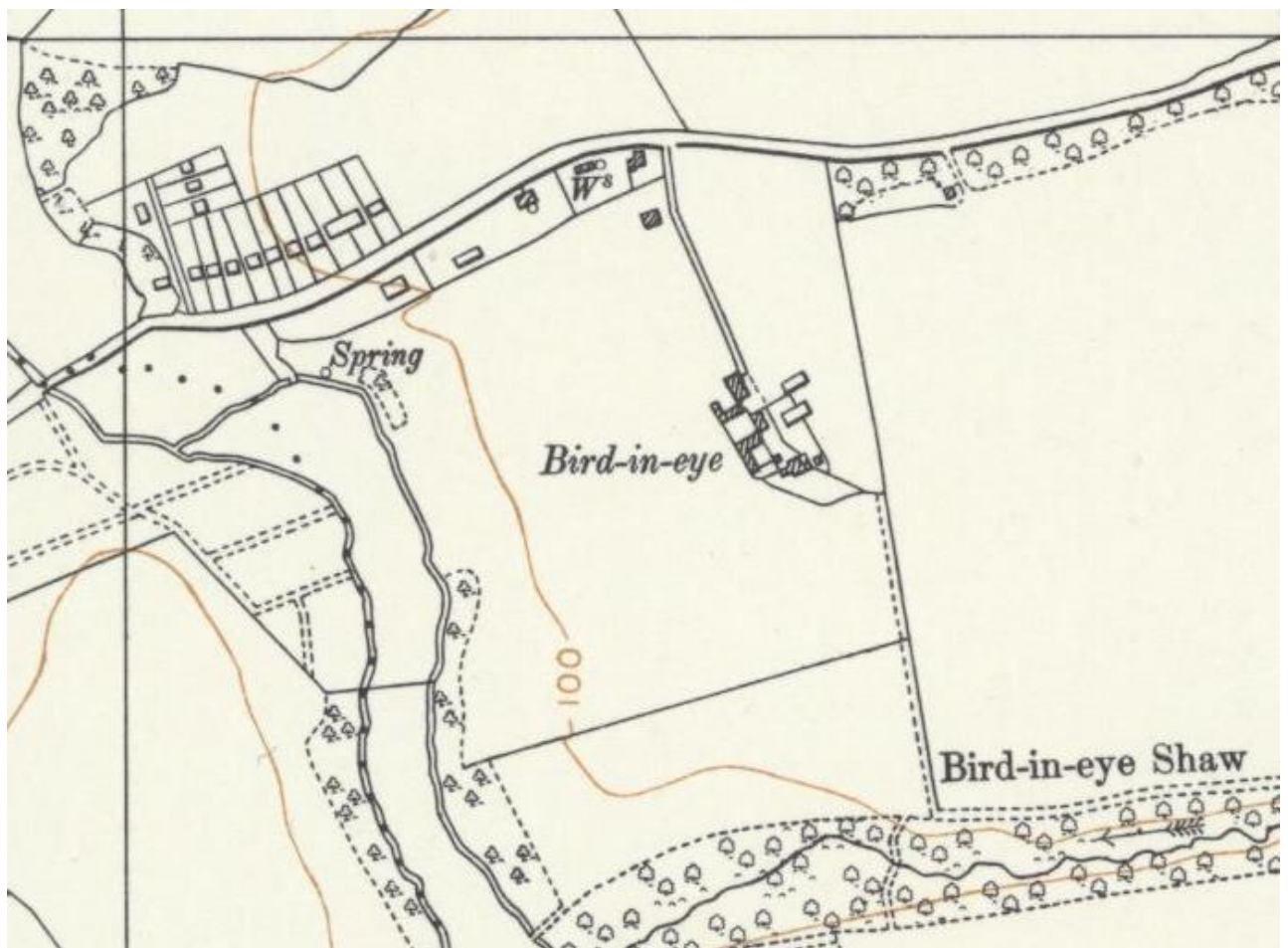


Figure 3.4: 1930 OS Map. Source: National Library of Scotland (reproduced with the permission of the National Library of Scotland).

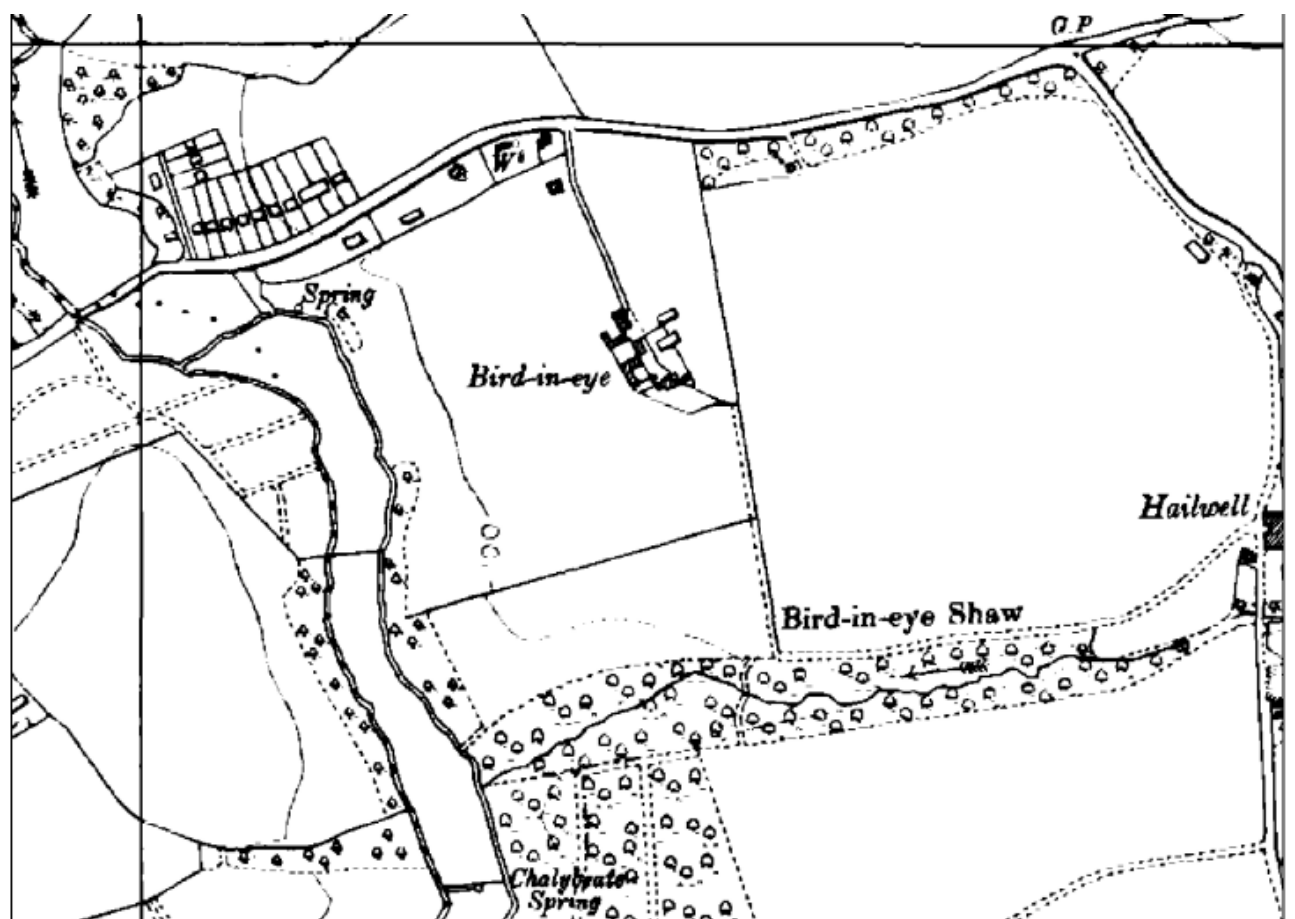


Figure 3.5: 1961 OS Map. Source: Promap.

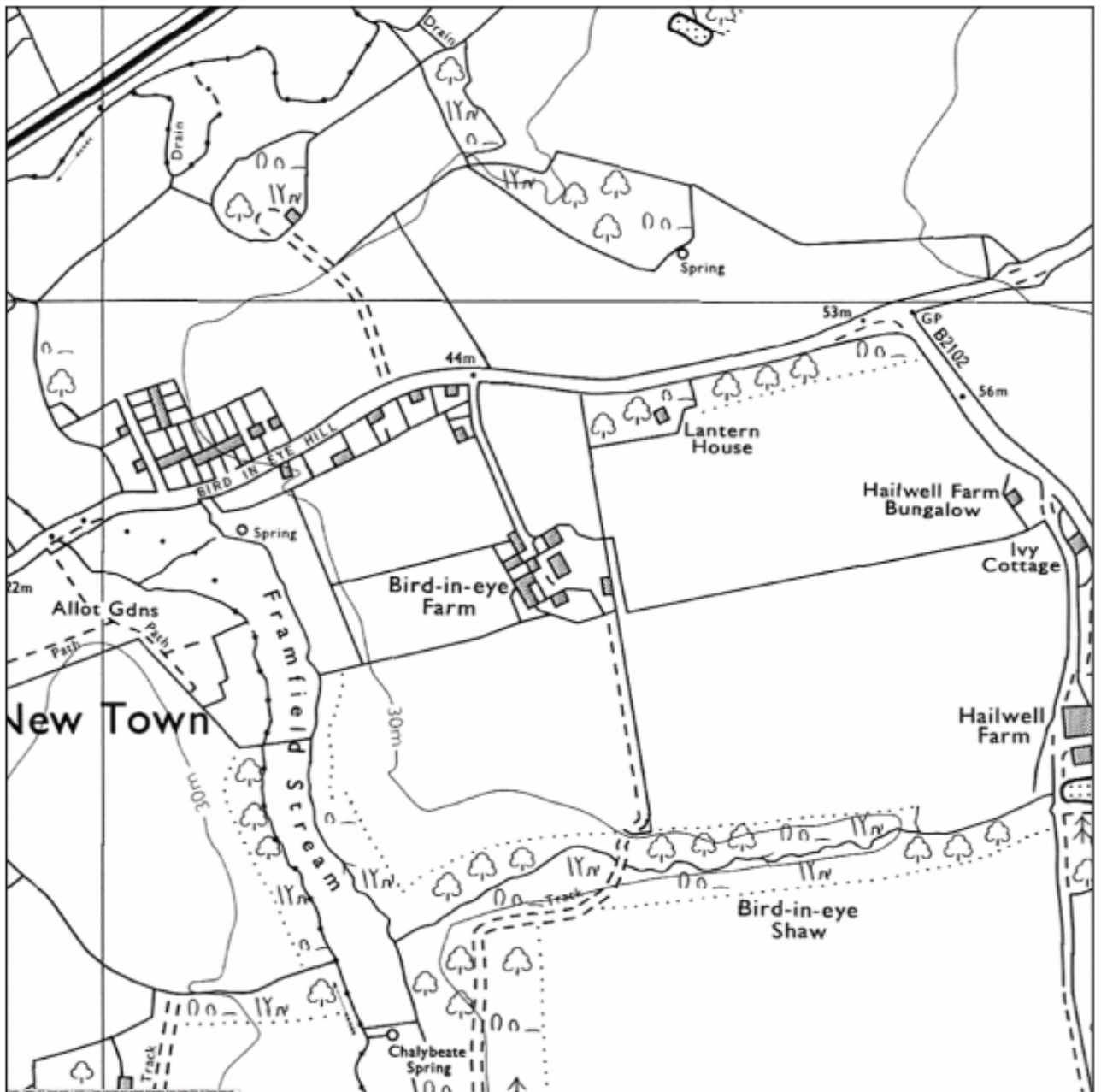


Figure 3.6: 1975 OS Map. Source: Promap.

- 3.7 The later 20th century saw significant changes. The original farmhouse was converted, and a new building was constructed to the east. The other historic buildings were also altered with the barn being repurposed as a radio studio and offices, and part of the oasthouse became a chiropractor's office. Further development continued to the east of it.
- 3.8 The Bird-in-Eye land is today used as a pasture and grazing for horses. A paddock was built for horses directly to the north of the oasthouse, dividing the previously farmland. To the east are large buildings which are light industrial buildings used as car body shops and suppliers.
- 3.9 More recent changes comprise a new housing development comprising 146 dwellings has been built to the west of the oasthouse under planning approval ref. WD/2010/2874/FE. The development replaced an area of former farmland which can be seen from the listed building.

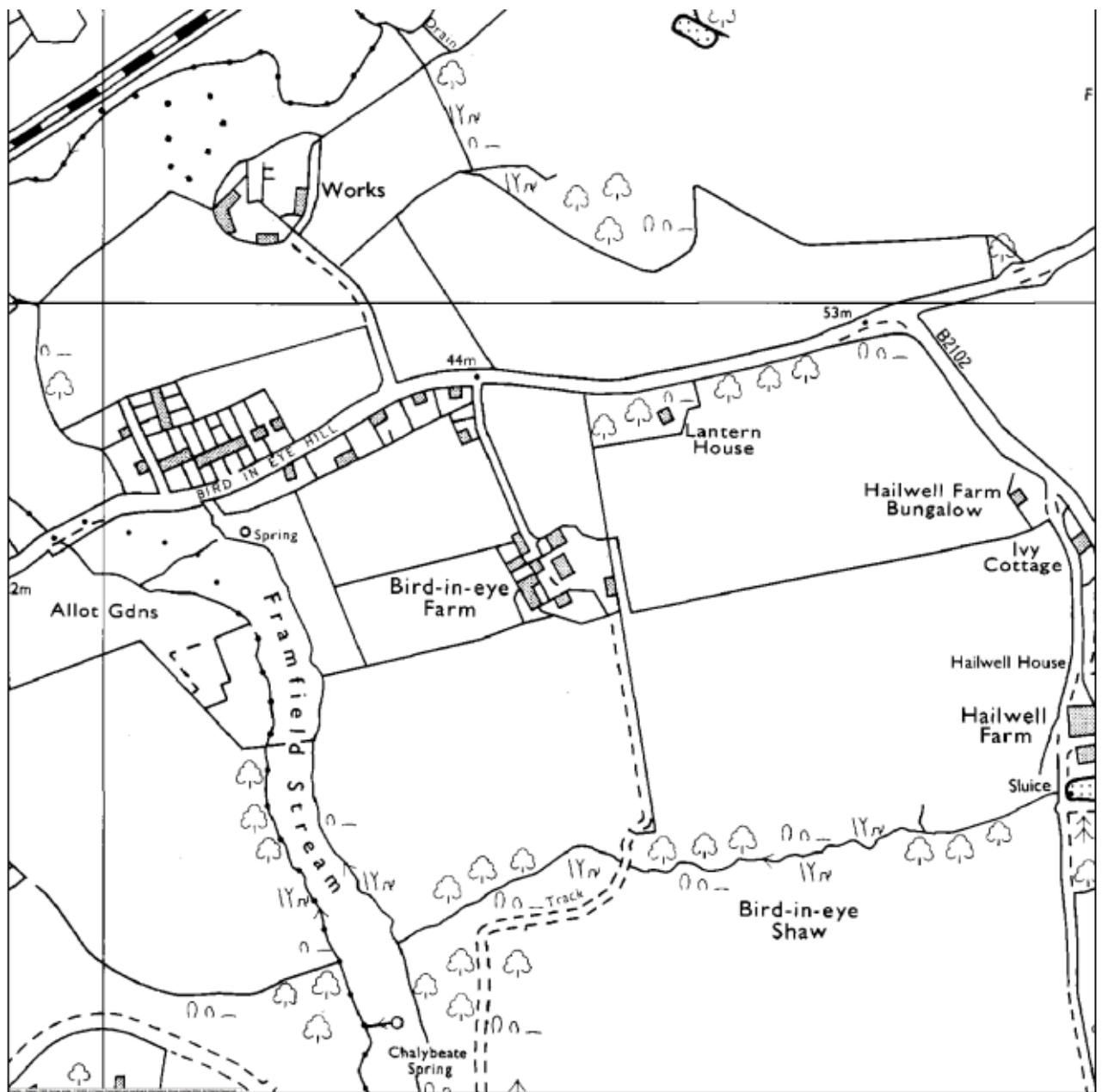


Figure 3.7: 1992 OS Map. Source: Promap.

4.0 SIGNIFICANCE OF BIRD-IN-EYE OASTHOUSE

4.1 In this section we summarise the special interest of Oasthouse to the northwest of Bird In Eye Farmhouse which was first listed in 1982 at Grade II. Our assessment is informed by Gwen Jones's work, "*An Example of Early Nineteenth-Century Technology: Bird-in-eye Oasthouse*," which is provided in **Appendix 3.0**. The list description for the building is provided in **Appendix 1.0** and indicates the following with regard to the reasons for designation:

- 1) Historic interest: Said to be the only fresh air oast surviving in Sussex. Listed for technical rarity; and
- 2) Architectural interest: 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.

SUMMARY OF SIGNIFICANCE HISTORICAL INTEREST

4.2 The Oasthouse is an unconverted example of a 'Read Kiln' (described below). The Read Kiln was common in Kent and Sussex. The kiln remained in use until 1965. Due to its location and form the building was not adapted to production developments and retains its original furnace, ducts, and flues. Many oasthouses have been converted to residential use, as is well known, with loss of features communicating their function (or the obscuring of them). The survival of flues etc. in an unconverted structure adds to the technical interest of the building.

ARCHITECTURAL INTEREST

4.3 The oldest section of the oasthouse was completed in the 1820s and is referred to as the kiln. The original structure features stone walls to the north, south, and west elevations, which support a slate-covered time framed roof. A distinctive timber cowl sits atop the roof and pivots in the wind. The cowl is an important functional design as it was used for ventilation during the kilning process.

4.4 Later additions in the 20th century include a brick-built cooling room to the north, clad in contrasting timber weatherboarding. These alterations highlight the evolution of the building's use over time.



Figure 4.1: Southwest elevation of Oasthouse. Source: Montagu Evans LLP.



Figure 4.2: Northeast elevation of Oasthouse. Source: Montagu Evans LLP.

TECHNOLOGICAL INTEREST

- 4.5 The Bird-in-eye design challenges our understanding of the Read Kiln system, previously thought to be exclusive to round oasthouses. As documented by Jones, the survival of this building demonstrates the system's adaptability to square footprints. This unique oasthouse exemplifies the flexibility inherent in traditional oasthouse design.¹⁶
- 4.6 The listed building includes a notable collection of historic equipment. The original kiln and flue system remain intact, along with the hop press housed in the stowage building.

¹⁶ Gwen Jones, 'An Example of Early 19th Century Technology: Bird-in-eye Oasthouse, Framfield Parish, East Sussex', *The Historic Farm Buildings Group*, Vol. 7, pp. 20-35.

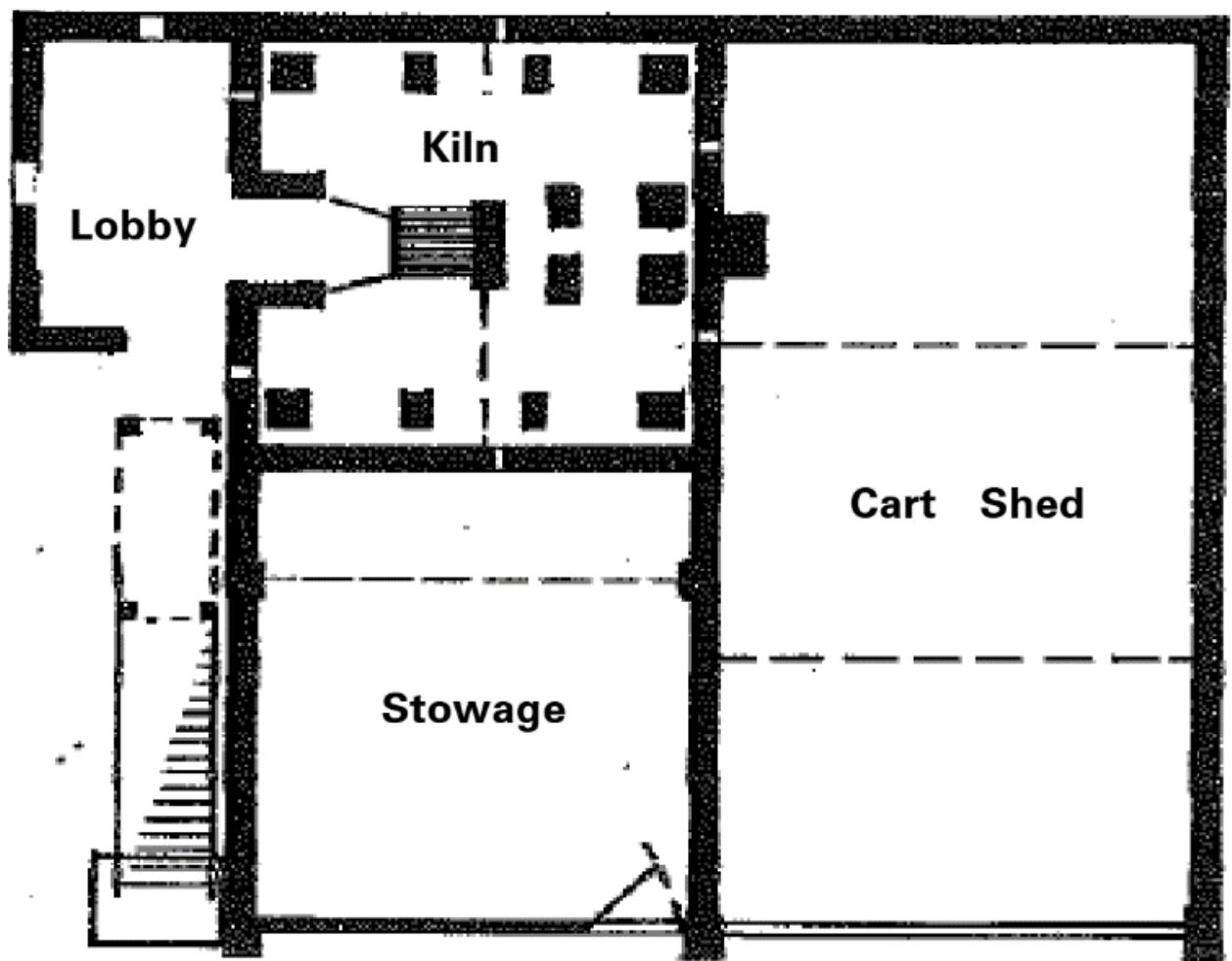


Figure 4.3: Ground Floor. Source: Mr. Berry, owner of Bird-in-Eye Farm.

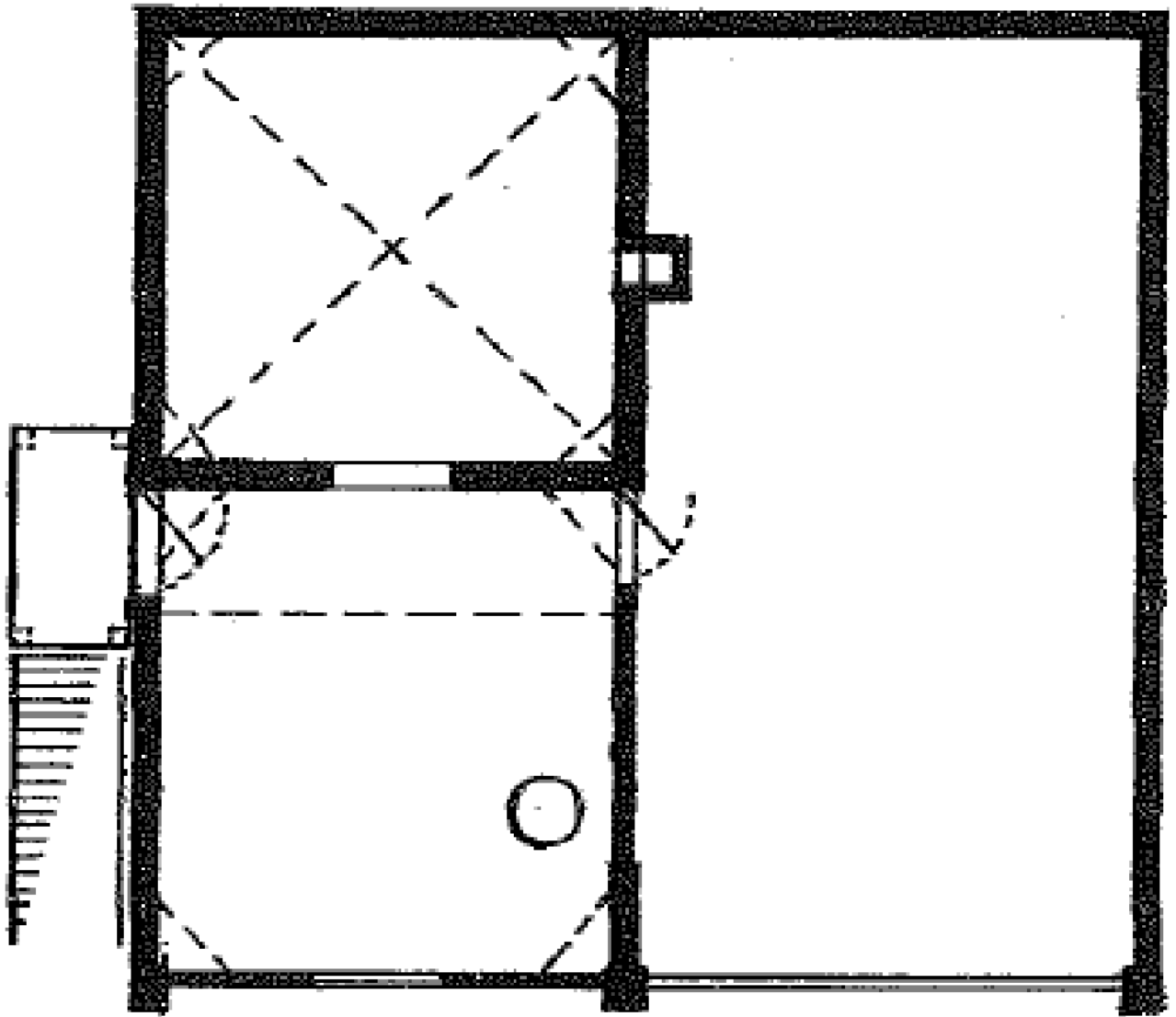


Figure 4.4: First Floor. Source: Mr. Berry, owner of Bird-in-Eye Farm.

JOHN READ'S OASTHOUSE DESIGN

- 4.7 The Bird-in-Eye Oasthouse has been identified as a square adaptation of John Reed's original circular oasthouse design.
- 4.8 John Read, a resourceful innovator from Kent's renowned hop-growing region of Horsmonden, identified flaws in the traditional oasthouse design. In 1835, he addressed these issues with a streamlined, circular oasthouse design submitted to the "Encyclopaedia of Cottage, Farm and Villa Architecture.
- 4.9 The first oasthouse built to John Read's specifications emerged in Teston in 1832. The design gained widespread adoption due to its spacious layout, cost-efficiency, and its ingenious method of channelling hot air upwards to the drying floor. The now-iconic conical shape of oasthouses stems from Read's groundbreaking circular design.
- 4.10 The Bird-in- Eye location is a unique example of Read's design as it uses the traditional equipment found in the round design and incorporates it into a square design. The Bird-in-eye example is one of the few which remains with the mechanics intact and illustrates the flexibility and ingenuity of Read's design.
- 4.11 The Inspector agreed with the heritage expert at the appeal, who concluded that the main interest of the asset, and the reason for its listing, was its age taken together with the assumed intactness of the internal arrangements used to dry hops evenly.
- 4.12 The oasthouse retains its integrity as an C19 structure (constructed before 1838, the date of the earliest documented reference to it). It is part stone faced, square/rectangular in plan and with a distinctive cowl over one part of it. In plan form it differs from oasthouses one associates with the area, and which are round.

- 4.13 We conclude that in this case listed building fabric contributes materially to its special interest. Its appearance also gives it architectural value. The distinctive cowled roof is attractive, and the ashlar stone masonry used in construction is characteristic and contributes to the aesthetics of the building.
- 4.14 Architecturally, the oasthouse appears in fair condition, but there has been unsympathetic extension and rebuilding of what was, essentially, a two-cell building. The plan form, scale, roof form and cowl are distinctive and attractive. It is partly in use: the upper floor as a chiropractor's practice. The lower floor (which retains some of the original heating apparatus and other features) is unused and open to the elements. There is a lean-to to one side, single storey.

CONTRIBUTION OF SETTING TO SIGNIFICANCE

- 4.15 The oasthouse was historically set within a group of farm buildings (see the Tithe Map and early OS plans), and in the middle of a mosaic of fields which we understand were in arable and pastoral use. Judging from the modest scale of the structure, we assume that it dried hops produced within the ownership of the land holding, the Buxted Park Estate.
- 4.16 There are a number of older structures in the vicinity of the oasthouse, including a barn, which reflect the original setting of the building. These have been unsympathetically extended and generally modernised and are no longer in farm use. The Site is a small business centre. The larger format C20 farm buildings have been converted as part of that new use.
- 4.17 Thus, the immediate setting does allow one to understand the original purpose of the oasthouse, taken together with its distinctive roof. Buildings in the immediate setting retain enough of their agricultural character to provide some historic context for the Listed Building; however, the setting has changed materially through the construction of large structures to the east, and as a consequence of the commercial use of the site (which has brought vehicle traffic to the site, for example along with signage).
- 4.18 The immediate setting of the listed building is, however, capable of improvement. It comprises on the west side, towards the land in question, a gravelled and concrete car park (**Figure 4.5**). Some of the associated buildings have been unsympathetically rebuilt. There is a remnant stone wall nearby, possibly formed with reused materials or part of an original complex. To the east is a collection of larger C20 farm buildings, now converted to commercial uses, and various areas of hard standing. The original layout of the building can be ascertained with reference to the published article on it, and notwithstanding some unsympathetic rebuilding to the north.



Figure 4.5: Gravel and concrete car park immediately west of oasthouse.

- 4.19 Its immediate setting, then, is much changed with, however, enough of the older farm to make sense of the earlier context.
- 4.20 The position of the listed building on a relatively level part of the hillside means that there is a sense of the farmland (now managed as a pony paddock and the wider area, we assume, probably grazed or cut for hay) coming up to it, steeply rising from a valley, across which one sees the modern edge of Uckfield (urban fringe). And from the west side of the building one is aware of the change in character and of a wider countryside setting.
- 4.21 The setting of the oasthouse has undergone significant change since its operational days. New development has been introduced surrounding the farm since the early 1900s. On the farm itself light industrial development has enclosed the oasthouse to the east. This infill development has made the oasthouse less conspicuous in the contemporary landscape.
- 4.22 The setting is urbanised by housing on the nearby road, by the industrial/commercial uses on the site, and by the proximity of the settlement lower down to the slope, in the valley to the west. There is a new housing scheme, post-WWII and Victorian housing and a hospital complex.
- 4.23 In any event, the survival of altered, older farm buildings nearby and the rising open nature land to the west, appreciated in part with the wider swathe to the south, leads us to conclude the land in question does enable an appreciation of the original agricultural use of the listed building. The fields which surround the oasthouse would have been historically linked to the building's original function.

5.0 SUMMARY OF PROPOSALS

PROPOSED DEVELOPMENT

- 5.1 The application submission includes the parameter plan shown in **Figure 5.1** below together with illustrative drawings comprising an outline masterplan and street elevations. The illustrative information is discussed in more detail in **Section 6.0**.
- 5.2 The site area is approximately 21.7ha. The parameter plan illustrates land for housing (6ha), road and access infrastructure (0.7 ha), and landscape amenity green space including SuDs and SANG (15 ha).



Figure 5.1: Land uses of the Proposed Development. Source: Paul Brown Architects

LAYOUT

- 5.3 The Proposed Development will be accessed from a roundabout on Bird-in-eye road. The introduction of the roundabout will help to mitigate traffic congestion and provide safe access both into and around the Site.
- 5.4 The principal housing parcels are located to the south and southeast of the oasthouse. A smaller parcel is located to the northwest.
- 5.5 Two active travel routes are proposed at the northwest corner of the site, connecting the housing to Uckfield. A leisure route leads to the northwest housing parcel, and a further route built to an adoptable standard crosses the open space to the principal housing parcels.

LANDSCAPE AND OPEN SPACES

- 5.6 The existing landscaping helped to define the shape of the development, further integrating the Proposal with the Site and enhancing the visual amenity of the development. SANG and landscape green amenity space is easily accessible from all housing parcels.
- 5.7 Importantly for listed building considerations, the existing gravel and concrete surfacing adjacent to the oasthouse, together with the parking it facilitates, is removed and replaced with green landscaping. This enhancement to the setting of the heritage asset better reveals its significance through the replacement of the detracting elements with more appropriate landscaping.

6.0 ASSESSMENT: HERITAGE IMPACT

- 6.1 The Proposed Development will introduce residential development and modern road infrastructure to the wider setting of the oasthouse, which currently comprises an open field used for pasture.
- 6.2 The masterplan which supports this application delivers fewer houses (up to 190 as opposed to up to 290) when compared to the refused scheme (see **Figure 6.1**). We were instructed to review the refused scheme, assess the listed building, and make recommendations to reduce the impact on setting. These recommendations were taken on board. Furthermore, we advised the red line should include the land around the oasthouse, identifying it for new landscaping.
- 6.3 The 2020 masterplan proposed up to 290 dwellings, which enclosed Bird in Eye Farm to the east, south and west. To the west of the listed building, and within its setting, this masterplan included a near continuous stretch of suburban residential development, with the exception of a channel of open space, running east-west between the oasthouse in the east and the bottom of the valley in the west. It was proposed to intersect the open space with an access road between areas of housing to the north and south, and to the east of the access road, provide an area of play equipment. This area of open space was intended to provide a buffer zone between the oasthouse and the development; however, the Inspector found that this was insufficient to maintain the open character of the agricultural field and the historic setting relationship between the oasthouse and the field. The proximity of a play space and vehicular access would have further obstructed a meaningful setting relationship between the oasthouse and its historic agricultural setting.



Figure 6.1: Appeal Illustrative Masterplan, 2021. Source: Croudace Homes.

- 6.4 The principal change to the updated masterplan (see **Figure 6.2**) is a reduction in the number of dwellings proposed (reduced to up to 190 dwellings) and the removal of a large area of housing to the west of the oasthouse, replacing it with a splayed area of natural open green space. This change directly addresses the identified impact of the Proposed Development on the setting of the listed building by retaining open land and therefore maintaining the rural setting of the oasthouse. When viewed from within the field and within the immediate setting of the oasthouse, this setting relationship will be readily understood notwithstanding the introduction of housing further north and south. The appeal inspector noted the local landmark quality of the building, and we consider this would be maintained.



Figure 6.2: Updated Illustrative Masterplan, 2024. Source: Paul Brown Architects.

- 6.5 The open space will be simply landscaped in order to maintain the existing informal character of the field. There will be public access to the open space, which is currently private and inaccessible land, allowing for closer views of and greater public appreciation for the special interest of the listed building. The new footpaths located to the northwest and west of the oasthouse will be lit at night; however, the impact of this on the setting of the oasthouse will be mitigated through the location of the footpaths, below the ridgeline of the hill on which the oasthouse sits, and the careful design of the lighting (subject to a condition).
- 6.6 To the northwest of the building, it is proposed to include a small number of dwellings and an access road along the boundary of the Site. These dwellings will follow the rear boundary of the existing houses on the south side of Bird in Eye Hill. The form and layout of the illustrative design has been carefully considered and the architectural style of the houses will take inspiration from existing development in the surrounding area using vernacular materials (tile and timber weatherboarding) and traditional agricultural buildings. This ensures that the introduction of houses in this location is discreet and sympathetic to the existing pattern of development in this location and reinforces local character.
- 6.7 The largest areas of housing within the updated masterplan are located to the south and east of Bird in Eye Farm. The western most extent of the housing has been moved further south and the access road and building line are angled to further mitigate visibility from within the setting of the oasthouse. Within the immediate setting of the oasthouse, development to the south would be obscured by farm buildings. Where visible, the housing would be a peripheral element of the wider setting of the oasthouse. Housing to the southeast of Bird in Eye Farm will be occluded from view within the setting of the listed building.
- 6.8 The illustrative design material suggests that the proposed scale of the dwellings within the masterplan is entirely appropriate for the area, comprising a mixture of one and a half to two and a half storey buildings in the form of detached, semi-detached or terraced houses.



Figure 6.3: Illustrative street scene looking north towards Bird in Eye Hill. Source: Paul Brown Architects.

- 6.9 The new masterplan incorporates a vehicle roundabout which will provide access to the Site from Bird in Eye Hill. Increased traffic as a result of the Proposed Development will not pass in close proximity to the listed building. The new roundabout is set away from the Listed Building and does not orient towards it. We do not think it will have an adverse impact on its setting, which is developed on this side. The new feature also does not reduce the open land west of the Listed Building. Traffic volume will mostly be redirected away from the Listed Building.



Figure 6.4: Illustrative street scene looking north at East End of Main Street. Source: Paul Brown Architects.

- 6.10 The Proposed Development seeks to improve the immediate setting of the listed oasthouse. As described in the previous section, an area of concrete hardstanding and gravel to the immediate west of the oasthouse has been incorporated into the redline boundary of the Site and it is proposed to landscape this area. The replacement of modern surface materials with a more historically appropriate and natural surface and the removal of parked cars in the area immediately surrounding the oasthouse will considerably improve the existing setting of the listed building and reinforce the setting relationship between the field to the west and the oasthouse.

7.0 CONCLUSION

- 7.1 We conclude that the changes to the masterplan have considerably reduced the setting impact of the Proposed Development on the setting of the listed building, addressing the concerns expressed by the appeal inspector. We find no harm to the special architectural or historic interest of the listed building. We consider a grant of consent would meet the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as Policy SPO2 of Wealden's spatial planning objectives, and the terms of NPPF Paragraph 205.
- 7.2 Through the Proposed Development, the intrinsic architectural and historic interest of the oasthouse, lying principally in the building fabric, will be preserved and the immediate setting is enhanced through the introduction of green landscaping. This will better reveal the significance of the listed building in accordance with NPPF Paragraph 212.
- 7.3 The masterplan incorporates a large open space to the west of the oasthouse. The setting relationship which contributes to the special interest of the oasthouse, namely its proximity to the field in which barley was historically grown, would remain legible. Public access would be granted to allow for a greater appreciation of the special interest of the oasthouse. We recommend a scheme interpretation secured via a condition.
- 7.4 Balancing these matters, our assessment is that the proposals conserve the significance of the listed building and NPPF Paragraph 208 relating to less than substantial harm is not engaged.
- 7.5 If a different in judgment on impact and effect is formed, then any harm would be at the lower end of the less than substantial harm spectrum.

APPENDIX 1.0

HISTORIC ENGLAND LIST ENTRY

OASTHOUSE TO THE NORTH WEST OF BIRD IN EYE FARMHOUSE

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1028381**

Date first listed: **31-Dec-1982**

List Entry Name: **OASTHOUSE TO THE NORTH WEST OF BIRD IN EYE FARMHOUSE**

Statutory Address 1: **OASTHOUSE TO THE NORTH WEST OF BIRD IN EYE FARMHOUSE, BIRD IN EYE HILL**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **OASTHOUSE TO THE NORTH WEST OF BIRD IN EYE FARMHOUSE, BIRD IN EYE HILL**

The building or site itself may lie within the boundary of more than one authority.

County: **East Sussex**

District: **Wealden (District Authority)**

Parish: **Framfield**

National Grid Reference: **TQ 48385 20780**

Details

FRAMFIELD BIRD IN EYE HILL 1. 5208 Uckfield Oasthouse to the north- west of Bird in Eye Farmhouse TQ 4820 43/860 II 2. 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.

Listing NGR: TQ4838520780

Legacy

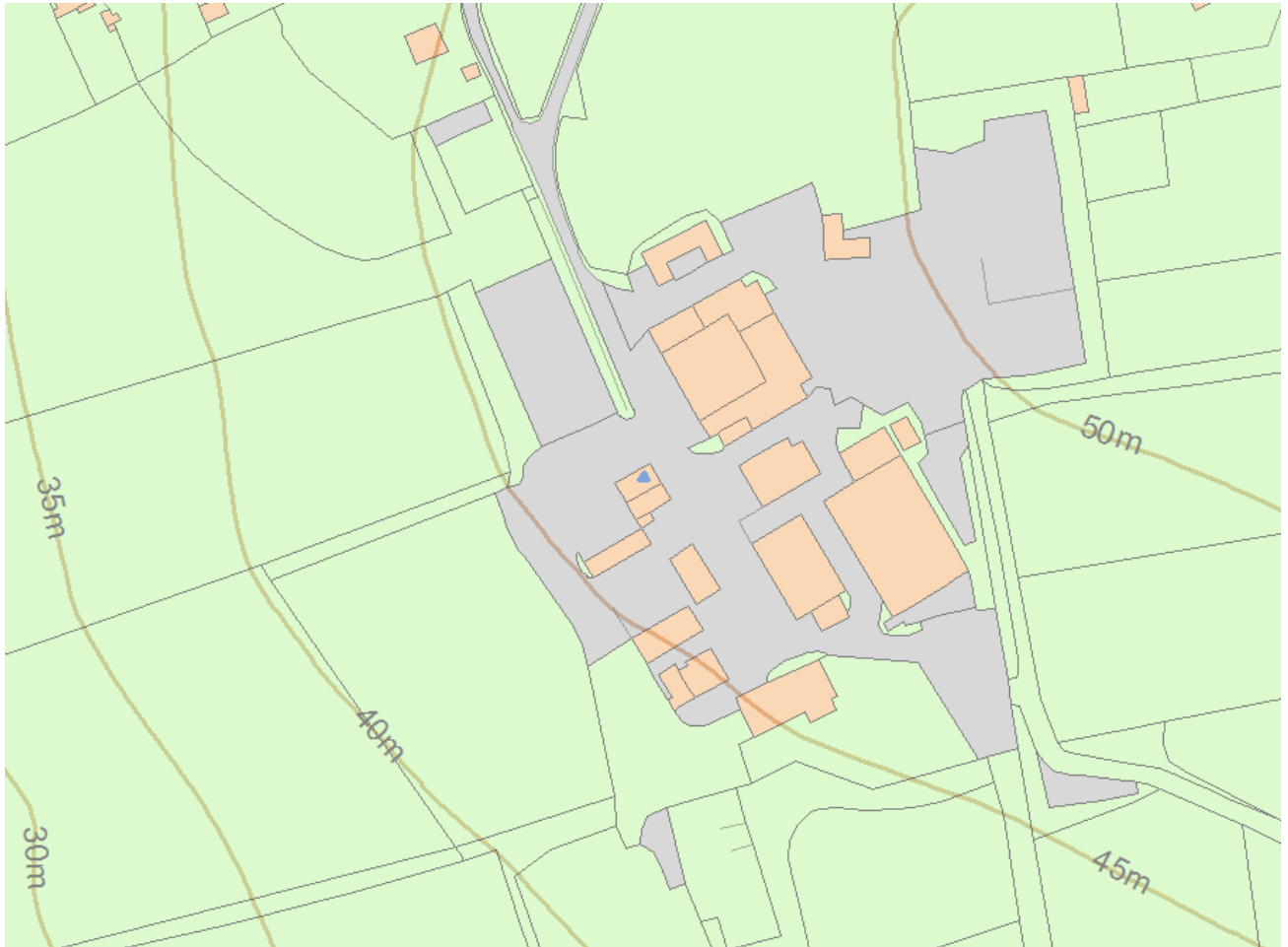
The contents of this record have been generated from a legacy data system.

Legacy System number: **296085**

Legacy System: **LBS**

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 19-Jul-2024 at 15:18:53.

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(<https://historicensland.org.uk/terms/website-terms-conditions/>).

End of official list entry

APPENDIX 2.0

APPEAL DECISION REF: APP/C1435/W/22/3307820



Appeal Decision

Inquiry Held on 12-21 September 2023

Site visit made on 18 September 2023

by H Butcher BSc (Hons) MSc Pg Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/C1435/W/22/3307820

**Land at Bird in Eye Farm, South of Bird in Eye Hill, Framfield, Uckfield
TN22 5HA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Croudace Homes Ltd against Wealden District Council.
 - The application Ref WD/2021/2198/MAO is dated 15 February 2022.
 - The development proposed is the erection of up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102.
-

Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made by Wealden District Council against Croudace Homes Ltd. This application will be the subject of a separate Decision.
3. An application for costs was also made by Croudace Homes Ltd against Wealden District Council. Similarly, this application will also be the subject of a separate Decision.

Preliminary Matters

4. I have removed any words that are not acts of development from the description of development in the banner heading above.
5. The application is submitted in outline with only access to be determined at this stage. Included in the evidence are an Illustrative Site Layout and Indicative Parameter/Land Use Plan. I have considered these plans on their respective illustrative/indicative bases.
6. During the course of the appeal amended plans were submitted in respect of the main highway access to the appeal site, the most recent iteration being Drawing No 5330/021 Rev P. I considered the submissions from the appellant, the Council, the R6, and interested parties as to whether accepting this revised plan would deprive those who should have been consulted on the changes the opportunity of such. However, I concluded in a subsequent ruling that all persons who should have been consulted on the amended access plan had

been given the opportunity to do so. The appeal has therefore been determined on the basis of this drawing.

7. The validity of the appeal was raised by the Council in terms of accepting revised plans without sufficient accompanying evidence to allow them to consider the proposals adequately. This would not, of itself, invalidate Inquiry proceedings, and matters of deliverability of the proposals and any assessment of the impacts of the revised plan were considered in evidence during the Inquiry.
8. A signed and dated Unilateral Undertaking has been submitted with the appeal and contains a number of obligations. However, it is not necessary for me to look at this in detail given I go on to find that the proposal is unacceptable for other reasons.
9. A revised National Planning Policy Framework (the Framework) was published by the Government during the course of the appeal. However, the changes do not relate to the matters under consideration.

Main Issues

10. The Council raised six putative reasons for which planning permission would have been refused were they in a position to determine the planning application. They have latterly withdrawn their putative reason for refusal in respect of drainage following receipt of a 'no objection' consultation response from the Lead Local Flood Authority (LLFA). Notwithstanding this, the R6 party in this case is advancing objections in respect of drainage and flood risk.
11. A further putative reason for refusal relating to obligations towards local infrastructure is also no longer being pursued by the Council subject to the submission of a signed legal agreement which is now before me.
12. Heritage was not an issue between the main parties at the Inquiry. This, in part, stems from an Inspector's report and Secretary of State decision on the appeal site from 2008/09 where it was found that the setting of the Grade II listed Uckfield oasthouse¹, which is located central to the appeal site, albeit not within the appeal site itself, would not be "materially harmed" by the proposals. However, matters, such as policy and guidance on setting and heritage assets have moved on since then. In any event, I have a statutory duty in considering whether to grant planning permission to have special regard to the desirability of preserving the setting of this listed building.
13. With this in mind, I consider this matter to be of fundamental importance in the determining of this appeal. Consequently, in the interests of natural justice, I raised this matter proactively with the main parties at the Case Management Conference and during the course of the Inquiry, giving them the opportunity to comment specifically on the impact of the development on the setting of the oasthouse at a round table session. No one would therefore be prejudiced by my consideration of this as a main issue in the determination of the appeal.
14. The main issues are therefore:
 - Whether the development would result in the loss or deterioration of ancient woodland and the effect of the development on protected species;

¹ Core Document F.11

- The effect of the development on highway safety;
- The effect of the development on flood risk;
- The effect of the development on drainage;
- Whether the site is a suitable location for housing having regard to accessibility and local planning policy; and,
- Whether the development would preserve the setting of the Grade II Listed Uckfield oasthouse.

Reasons

Ancient Woodland

15. The appeal site includes, directly abuts, and cuts through areas of ancient and semi-natural woodland known as "Bird-in-eye-Shaw" and "Nightingale Wood".
16. Based on the submitted illustrative and indicative plans the development would comprise a parcel of land to the north of the appeal site where housing would be located, and a Strategic Area of Natural Green Space (SANG) to the south and east of this. The SANG to the south would be separated from the housing to the north by a long narrow strip of ancient woodland.
17. There is an existing narrow trodden path through this section of ancient woodland which leads over a small wooden bridge which crosses a stream. At the time of my site visit it did not look to be a particularly well-trodden path, as might be indicated by bare earth, and therefore appeared to attract only low levels of pedestrian traffic currently, indeed, it is located on private land and used solely for the recreation of the current owner.
18. In order to provide a circular walking route around the SANG for future occupiers of the development and other visitors generally, as requested by Natural England (NE), it is proposed to incorporate this existing path through the ancient woodland into the route and to upgrade it to make it suitable for the higher numbers of people using it. This would include creating a 'no dig' path of permeable bound gravel, held in place by timber edging boards, secured with short timber stakes. It is also proposed to enclose this path with chestnut paling fencing to restrict access into the ancient woodland by persons and/or their dogs². As discussed at the Inquiry the path would need to be around 2m wide to allow people to pass comfortably.
19. From what I saw on my site visit existing ground flora/fungi and understorey (existing vegetation under the trees) would need to be cleared to upgrade the path. Furthermore, any ground flora/fungi and understorey would, if not cleared, be suppressed due to the installing of a path on top of it. Part of the ancient woodland would therefore effectively be lost and unable to regenerate itself. NE is clear in its standing advice 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions'³ that damaging or destroying ground flora, fungi or understorey are direct effects which can lead to the loss or deterioration of ancient woodland. I therefore find some loss of ancient woodland in this regard.

² Inquiry Document 11

³ Core Document G.3

20. The Forestry Commission (FC) were similarly concerned about the loss of ancient woodland in their consultation comments on the application⁴. The appellant downplays their comments saying that the FC thought the path might be “new”, but even if this was the case it does not change my findings above. That the FC suggested fencing of the path was, to my reading, a suggestion of mitigation if their advice was overruled, not a concession it would be “*reasonable to reject their concerns*”. Any suggestion that the FC might have changed their mind latterly is merely conjecture on the part of the appellant.
21. Furthermore, the enclosure of this path with fencing would effectively split this area of ancient woodland in two breaking up the habitat connectivity that currently exists. This is identified by NE in their standing advice as an indirect effect which can cause the loss or deterioration of ancient woodlands.
22. Specifically, it is known that there is a protected species present that is active across the most eastern and western extents of this area of ancient woodland, as well as in close proximity to the path in question. The fencing of this path would therefore introduce a permanent barrier into the foraging areas and routes of this protected species as well as isolate parts of its territory. It would also result in a loss of vegetation which provides cover for this species and introduce increased disturbance to this area from people using the path. All of these effects are discouraged in standing advice from NE regarding this protected species⁵.
23. No specific mitigation or compensation measures are proposed in respect of these identified effects on this protected species other than advising that they would find alternative routes around the path, either under the bridge with a ledge created to facilitate this, but which is nevertheless narrow and very close to where people would be walking, or at either end of the path through the housing development or SANG. None of these alternative routes would be suitable in terms of the disturbance this species would experience as a result. I therefore find deterioration of ancient woodland due to harm to habitat connectivity, and harm to a protected species.
24. The minimum 15m buffer zone required by NE could be provided between the area indicated for housing and ancient woodland to the south and west of this as shown on the Illustrative Site Layout and could be secured by condition. This buffer could also be exceeded in places but it would be dependent on the final layout to be determined at reserved matters stage and could be affected by, for example, the final design of the drainage basin (see Drainage section).
25. Nevertheless, because this area of ancient woodland is of itself narrow with a high proportion of its boundary adjoining the area indicated for housing (it borders the whole of the southern boundary of the housing site and around half of its western side) it is, in my view, more susceptible to increased opportunities for deleterious impacts from development such as increased noise and disturbance to wildlife from additional people and traffic, fly-tipping, and the impacts of domestic pets from predation, even with the introduction of defensive planting and a post and rail fence. All of these impacts are identified by NE in their standing advice on Ancient Woodlands as effects of development which can cause loss or deterioration of ancient woodland.

⁴ Core Document B.21

⁵ Inquiry Document 13

26. Taking all of these points together I find that the development would result in some loss and deterioration of ancient woodland. This is not outweighed by any facilitation of recreation, health or wellbeing benefits to be gained by opening up access to the public.
27. I am aware that NE provided advice on the application. It is clear from this that they were aware of a path through ancient woodland to achieve a suitable circular walking route around the SANG. They also note that the inclusion of dog proof fencing, and fencing along the entire SANG border would deter the public from entering and negatively impacting the ancient woodland. However, this advice appears to be largely focussed on the creation of the SANG and it is possible some issues with respect to impacts on the ancient woodland may have been overlooked. In any event, I am therefore satisfied that my findings that the proposal would result in some loss and deterioration of ancient woodland are in line with NE's standing advice⁶.
28. Whether paths through ancient woodland have been created elsewhere does not justify allowing loss or deterioration of ancient woodland in this case which is considered on its own merits. The same follows for development in close proximity to ancient woodland. Each must be determined on their own individual merits.
29. For the reasons given the development would result in the loss and deterioration of ancient woodland and harm to a protected species. As such it would conflict with saved Policies EN1, EN12, EN13 and EN15 of the Wealden Local Plan (1998) (LP) and Policy WCS12 of Wealden District Core Strategy Local Plan (2013) (CS). These policies seek to protect the natural environment and habitats, in particular trees and woodland generally, as well as ancient woodlands.
30. Furthermore, The Framework at paragraph 180c) is clear that development resulting in the loss or deterioration of irreplaceable habitats such as ancient woodland should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. No exceptional reasons have been put forward in this case.

Highway Safety

31. The proposed access would serve not only residents of the development and visitors to the SANG but also vehicles associated with the existing light industrial uses at Bird in Eye Farm. The Highway Authority (HA) confirmed at the Inquiry that the junction shown in Drawing 5330/021 Rev P may be acceptable subject to demonstration of its safety through swept path drawings for all vehicles that would be using this access. These were considered in detail at the Inquiry.
32. Specifically, concerns were raised by the HA in respect of the Swept Path Analysis of 12m rigid trucks using the new access junction as shown on drawing no 5330/228 Rev H⁷. This plan shows the swept path analysis for the four manoeuvres these vehicles would make using the proposed access junction. Of these four scenarios, concerns were raised by the HA with respect to three.

⁶ Core Document G.3

⁷ Appendix 20 of Mr Twinberrow's proof

33. Firstly, 12m rigid trucks turning left into the site could not do so without straddling both lanes of the new access. This could result in occasions where either a collision with a vehicle exiting the site may occur or, more likely, the truck would need to stop on Bird in Eye Hill to wait for the vehicle to exit the junction first. This would increase the risk of rear-end shunts by drivers not expecting traffic to be stopping on a road where speeds are relatively high, especially if traffic were to build up behind the truck waiting to turn.
34. Secondly, 12m rigid trucks turning left out of the site would need to straddle the right turn lane into the site. This could result in conflict with traffic anticipating using this lane, and in a worst-case scenario, a head-on collision.
35. Thirdly, 12m rigid trucks turning right into the access would again need to straddle the two lanes at the access when turning in. This means if a vehicle was waiting to exit the access they would need to pull out before the truck turned in. Furthermore, if the exiting vehicle is turning right they would need to perform two manoeuvres, firstly moving to the centre of the road in front of the truck, and then pausing to try to see past the truck to complete their turn, the truck effectively creating a blind spot. This is a dangerous manoeuvre to make, particularly on a relatively fast road.
36. All of these manoeuvres raise highway safety concerns for even the most reasonable and cautious drivers and in my view cumulatively constitute an unacceptable impact on highway safety. Accident data for the existing access is immaterial as the new access would attract significantly more traffic movements and therefore greater vehicle conflict than at present. Whilst HGV movements would not be large compared to overall numbers of vehicles using the new access, they would be greater than that of simply refuse trucks accessing the site, and sufficient, therefore, to raise highway safety concerns. This is particularly so given the light industrial uses at Bird in Eye Farm which occur in perfectly serviceable facilities and without any known planning restrictions on vehicle movements.
37. Concern was also raised regarding cyclists using the proposed vehicle access because specific provision would not be made for them to turn right. In principle there is no reason why a cyclist could not use the right turn lane to access the site using appropriate arm signals. However, given my findings in terms of 12m rigid trucks needing to straddle the right turn lane, this further adds to my highway safety concerns at this junction.
38. The development would have an impact on both High Street junctions within Uckfield which would operate with increased congestion and a Degree of Saturation occurring in excess of 90% as a result. To mitigate it has been suggested by the HA that the two junctions be linked using a Multiprocessor Optimised Vehicle Actuation system and a contribution towards this of £100,00. The Council raise no objection to this. The R6 specifically raise concern over the costing of the contribution and when these improvements would be delivered. However, I am satisfied that the breakdown of this costing is sufficiently detailed and would mitigate this harm over time. I have therefore taken this into account in my decision. My finding on this matter does not, however, diminish the harm to highway safety identified in respect of the main vehicular access.
39. I have found an unacceptable impact on highway safety as a result of the proposal. For this reason the proposal would conflict with Policies TR3 of the LP

and Spatial Planning Objective SPO12 of the CS which requires new development to not create unacceptable traffic conditions and to provide a satisfactory means of access. The Framework is also clear that development should be refused on highway grounds if there would be an unacceptable impact on highway safety.

Flood Risk

40. The majority of the appeal site falls within Flood Zone 1 'low probability of flooding'. However, there are parts of the site, closest to watercourses, which fall within Flood Zones 2 and 3 'medium and high probability of flooding'. These areas are also at risk from pluvial and groundwater flood risk.
41. The Sequential Test should be applied when any part of a site is at risk of flooding. Flood risk mapping is not an exact science and it may be that the extent of flood risk is greater than that shown. This is particularly relevant in this case as the pedestrian/cycle access would be located in close proximity to areas at medium and high probability of flooding. The Sequential Test should therefore still be applied on sites such as this one which present a greater risk than sites which are wholly within areas at little or no risk of flooding.
42. The site might well be able to be laid out with residential development solely within Flood Zone 1, ignoring the pedestrian/cycle access, but such considerations would form part of the Exception Test and this can only follow after the Sequential Test has been complied with. To miss the Sequential Test would negate the purpose of the Sequential Approach which is specifically designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk.
43. In spite of the appellant's position that a Sequential Test is not required, one has been done. However, this is limited to a search area 7km from the Ashdown Forest Special Protection Area (SPA) and Special Conservation Area (SCA). There is no need for such a limitation given that the development is primarily for housing. The SANG proposed is principally to provide mitigation for this housing in terms of the effects of increased recreational disturbance on the SPA and SCA. Taking into consideration areas not constrained by the SPA and SAC to accommodate housing of this scale seems eminently sensible to me in undertaking a Sequential Test as a wider area would significantly broaden the scope for opportunities to reduce flood risk.
44. In the case of *Wathen-Fayed v Secretary of State for Levelling Up, Housing and Communities* the findings here relied on a previous version of the Planning Practice Guidance (PPG). Matters of planning policy have therefore moved on since this time and I have taken this into consideration in my decision accordingly.
45. In light of my findings above I consider that the Sequential Test does not adequately satisfy the requirements of the Framework and the PPG.

Drainage

46. Whilst there are some areas of surface water or groundwater flood risk the LLFA consider that as these are small, they would not reduce the ability of the proposed drainage system to function as intended. The LLFA are satisfied that the drainage strategy put forward by the appellant is feasible and do not object

to its basis. Site layout and further technical design considerations could be secured via appropriate conditions.

47. The R6 party raised concerns that the size of the basin required may be larger than currently designed for once details were finalised and whether this could be accommodated within the confines of the land/use parameter plan. Even if it transpired that it was required to be c. 40% larger than shown currently, I am satisfied there is sufficient space to accommodate this within the confines of the land use parameter plan.
48. I therefore find no harm in terms of drainage and as such no conflict with Policies EN1 and CS1 of the LP which seek to protect water quality and to ensure that the works and services required to support development can be provided.

Suitable Location – Accessibility

49. The town of Uckfield is located to the west of the appeal site and offers a good choice of shops, restaurants, a train and bus station and other services. The distances to key facilities within the town⁸ at c. 1mile/20mins walk are 'walkable' but not within 'easy' walking distance, particularly as the site occupies an elevated position above the town. It follows that Uckfield is also within cycling distance of the development.
50. The walk/cycle into Uckfield would be improved by the provision of a direct pedestrian/cycle link from the north-west corner of the site onto Bird in Eye Hill, which links into Framfield Road and leads to the town centre. However, it would still not be an easy walk/cycle save for reasonably fit persons, and would be particularly difficult, for example, for people laden with shopping, accompanied by children, or with mobility issues.
51. The proposed pedestrian/cycle link, however, would place persons travelling from the development in close proximity to a bus stop which currently provides a regular service through the day, and on weekends, to Uckfield and other nearby centres. This bus stop would, furthermore, be upgraded as part of the proposal with bus shelters and a real-time passenger information system. In addition to this funding would be provided to secure the bus service for a further three years. A Travel Plan could also be secured to promote sustainable transport modes.
52. Overall, therefore, I consider the development is in a suitable location in terms of accessibility as it would limit the need to travel and offer a genuine choice of transport modes in line with the Framework para 105. On this basis I find no conflict with Policies EN1, EN2, TR3 and TR13 of the LP, and Spatial Planning Objectives SPO7 and SPO15, and Policy WCS7 of the CS which require development to be located efficiently in relation to existing development and to public transport, the provision of safe and convenient pedestrian routes which link to the existing footpath network, and the provision of suitable public transport infrastructure.

Suitable Location - Policy

53. Saved policies GD2 and DC17 of the LP seek to restrict development to within defined development boundaries. The proposed development is outside of

⁸ Inquiry Document 15

these development boundaries therefore the proposal conflicts with this policy. However, these boundaries were drawn to accommodate the level of housing required at the time the LP was adopted, which is far below that which is now required. If these policies were strictly applied they would prevent the delivery of much needed housing in a District where there is no 5 year Housing Land Supply, conflicting with the objectives of the Framework to significantly boost the supply of housing. For these reasons, for the purposes of this appeal, Policies GD2 and DC17 of the LP should be regarded as out of date. Any conflict with them is therefore afforded only limited weight.

Heritage

54. At the centre of the appeal site is a Grade II listed oasthouse. It sits broadly at the centre of Bird in Eye Farm, which forms its setting, along with the fields surrounding it which were historically used for a mixture of arable (hop) and pasture uses in connection with the farm. They remain in use for pasture today. The heritage witness for the appellant confirmed that the proposed development would affect the setting of the listed oasthouse. Consequently, as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects the setting of a listed building I must have special regard to the desirability of preserving the building's setting.
55. I am mindful that no material harm to the setting of the oasthouse was identified in the 2009 Inspector's report and Secretary of State Decision⁹. However, matters have moved on since that time such as guidance from Historic England: The Setting of Heritage Assets, which was first published in 2015, and is now a material consideration in this appeal. Furthermore, the Framework is now a material consideration.
56. Whilst much of the significance of the oasthouse may be derived from its technical rarity as set out in the listing description, this case is concerned with the importance of the setting of the oasthouse and how this contributes to the asset's significance.
57. The setting to the oasthouse contributes to its significance insofar as its historic use for drying hops and functional relationship with the surrounding fields which grew the hops can still be appreciated today. These fields remain open, undeveloped, and in use as pasture. Consequently, they enable the oasthouse to be appreciated in broadly its historic rural scene. These fields also provide for a qualitative understanding of the significance of the oasthouse derived from its setting as they provide a degree of quiet and tranquillity which you would reasonably associate with such a rural, historic scene. Furthermore, the lack of development in these fields along with its elevated position above the town gives it a local landmark quality.
58. The proposed development seeks to site up to 290 houses, access roads, and an attenuation basin within the setting of the oasthouse. Consequently, any remaining ability to appreciate the significance of the oasthouse in its historic rural setting would be largely lost. The level of development proposed would also visually compete with and distract from its local landmark quality. Furthermore, the relatively quiet and tranquil character of the setting of the

⁹ Core Document K.11

oasthouse would be significantly diminished by the large-scale residential development proposed.

59. The appellant suggests that area(s) of open land could be designed in the final layout of the development, as shown on the Illustrative Site layout, in order to provide an element of the rural setting of the oasthouse. However, given the scale of development proposed any such land would be relatively modest in size, flanked by development, likely landscaped, and would not provide any meaningful historic views of the oasthouse that I have been made aware of. This would therefore reduce the harm I have found to setting by a very minimal degree as its setting as currently experienced is far wider, more extensive, and rural in character. An information board could also be provided as part of the development providing interpretation as to the significance of the oasthouse in terms of its technical rarity and this would better reveal its significance. However, it would not minimise the specific harm to its setting that I have identified.
60. It is my finding, therefore, that the setting of the oasthouse would not be preserved by the development. It follows therefore that the proposal would conflict with Spatial Planning Objective SPO2 of the CS which requires protection of the historic environment. The Framework is also clear that in determining planning applications account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.
61. In terms of para 202 of the Framework the harm I have identified to the setting of the oasthouse would be 'less than substantial' given the building and its significance in terms of its technical rarity would be unharmed by the development. There is no requirement for me to place the degree of 'less than substantial harm' on a spectrum in order to conclude on heritage matters.
62. As set out in paragraph 202 where a development proposal would lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Heritage Balance

63. In this case the public benefits would include economic benefits derived from the provision of up to 290 homes of which 35% would be affordable housing and 5% self-build homes, in an area where there is an agreed and long-standing shortfall of housing land supply, the current figure being 3.92 years. These homes would drive economic growth in the area through the associated expenditure and job creation that new housing provides. Appropriate conditions also mean this development could come forward relatively quickly.
64. The development would provide a SANG primarily to mitigate impacts to the Ashdown Forest SPA and SAC which would likely occur from increased recreational disturbance from the proposed housing as set out in Policy WCS12 of the CS. The mitigation the SANG would provide is a neutral factor in the planning balance. However, provision is also made for other visitors to the SANG also which is a public benefit.
65. The size of SANG proposed in this appeal is necessary to provide a circular walking route of c. 2.7km for future occupiers of the development. The appellant argues that the SANG, due to its resulting overall size could, in theory, provide mitigation for a significant number of new homes beyond that

proposed in this appeal. However, this argument is largely academic because there is no way of knowing at this time if the SANG proposed will provide a benefit in terms of mitigation for any future housing development which may come forward in the vicinity of the appeal site. It would therefore at best carry only minimal weight as a benefit.

66. The proposals would secure a biodiversity net gain of c. 40% to be secured by condition along with new tree planting. Sustainable homes in terms of their environmental credentials and proximity to local services would be created, along with recreational space and landscaping. Some minor public benefit would also be derived from the provision of a heritage information board regarding the oasthouse.
67. An absence of harm to the amenity of neighbouring occupiers or landscape harm carries neutral weight. Generally, neutral weight is also afforded to any contributions through CIL planning obligations to mitigate pressure on local services, although some wider public benefits may occur as a result. An absence of harm from loss of Best and Most Versatile agricultural land is also a neutral factor in the planning balance.
68. Taken together, the scale of development and associated benefits as set out above carry substantial weight.
69. Para 199 of the Framework advises that great weight should be given to the conservation of designated heritage assets irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm. Furthermore, any harm must be given considerable importance and weight. Given that the proposal would result in the loss of such a large area of the immediate setting of the oasthouse and therefore severely reduce the contribution this currently makes to the significance of this heritage asset I find that this harm is not outweighed by the public benefits in this case.

Overall Planning Balance

70. The harms I have identified in respect of ancient woodland, highway safety, flood risk, and heritage are individually significant and cumulatively carry substantial weight. There is also very limited harm by way of locational policy conflict. Whilst I have found no harm in terms of the accessibility of the development, and no harm in relation to drainage, overall, I find that the proposal would conflict with the development plan as a whole.
71. Furthermore, the harms identified in respect of ancient woodland, flood risk and heritage relate to the application of policies in the Framework which protect areas or assets of particular importance and provide clear reasons for refusing the development proposed.
72. The matters which weigh in favour of the proposal, whilst substantial, do not outweigh the totality of the harm that I have found.
73. The appeal is therefore dismissed and planning permission refused.

Hayley Butcher

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Victoria Hutton

She called:

Ben Rainbow BSc (Hons) NVQ2

Roger New BSc MSc

Claire Turner BSc (Hons) MSC MRTPI

FOR THE APPELLANT

Andrew Tabachnik KC

He called:

Richard Hyett MSc BSc (Hons) MARborA MICFor (Director, Barton Hyett Associates)

Mark Rose BSc (Hons) MSc PGDip MCIEEM (Associate Ecologist, CSA Environmental)

Amy Hensler BSc (Hons) MSc MCIWEM C.WEM CEnv (Director Stantec UK Ltd)

Matthew Twinberrow BEng MCIHT (Associate Director Bellmany Roberts)

Steven Brown BSc (Hons) Dip TP MRTPI (Principal Woolf Bond Planning)

Also appearing for the appellant:

Thomas Copp BA (Hons) MA AssocIHBC (Director RPS Heritage)

FOR THE RULE 6

Mary Cook

She called:

Simon Maiden Brookes BSc (Hons) MSc C Eng C WEM MCIWEM

Richard White BSc (Hons) MSc

INTERESTED PERSONS WHO SPOKE AT THE INQUIRY:

Karen Redwell Uckfield Town Council

Peter Keith Lucas

Cllr Bernadette Reid Wealden District Councillor

Mr and Mrs Chelano

Anne Newton

Alison Strickland

INQUIRY DOCUMENTS

ID1 Appearances for the appellant

ID2 Arboricultural response note to comments on highway access (appellant)

ID3 Arboricultural response note to comments on highway access (Council)

ID4 Rebuttal proof of Evidence of Richard White

ID5 Summary of the consultation exercise undertaken on amendments made to the appeal scheme access and shown on 5330/021 Rev P

ID6 Appellant's opening submissions

ID7 Council's opening submissions

ID8 R6's Opening submissions

ID9 Uckfield Town Council representations

ID10 Letter and plan sent for consultation on access plan 5330/021 Rev P

ID11 Plan of fencing along and around ancient woodland walking route

ID12 Erratum note – Highways Proof of Evidence on behalf of East Sussex County Council

ID13 Advice for making planning decisions

ID14 Proposed bus stop improvements and speed limit extension

ID15 Updated table of Walking/cycling distances to key facilities (from centre of scheme)

ID16 Planning validation guide

ID17 Ped/cycle access to be approved

ID18 Box Van food delivery swept path analysis

ID19 Drawing No: 5330/045 Rev A Location of proposed pedestrian/cycle access

ID20 Numbered Illustrative Site Layout

ID21 Draft Planning Obligation by Unilateral Undertaking

ID22 Draft conditions

APPENDIX 3.0

EXAMPLE OF EARLY NINETEENTH-CENTURY
TECHNOLOGY: BIRD-IN-EYE OASTHOUSE, GWEN
JONES

AN EXAMPLE OF EARLY NINETEENTH-CENTURY TECHNOLOGY: BIRD-IN-EYE OASTHOUSE, FRAMFIELD PARISH, EAST SUSSEX.

Gwen Jones

Introduction

After the establishment of hops as a commercial crop towards the end of the sixteenth century, hop drying practices continually evolved in order to eliminate loss or failure during drying and to maximise, thereby, the profits made from hop sales. Loss or failure arose from difficulties in maintaining requisite temperatures, in spreading the heat across the kiln, and in preventing contamination of the hops by the products of combustion. Initially, a controlled rise to about 60 degrees centigrade (140 degrees fahrenheit) is needed to drive off the greater part of the moisture contained in the hops, while later on, a gentler temperature - 49 degrees centigrade (120 degrees fahrenheit) - ensures thorough drying. Wind speed and direction can change very rapidly so driers using every type of open grates or braziers needed draught openings on all sides of the kiln. That meant careful positioning of the building, and even with the draught to keep the fires bright and achieve the right temperatures, a baffle plate suspended above the grates was often needed to spread the heat more evenly across the kiln. If, as often happened, pockets of cold or damp air persisted, the hops dried unevenly and even a small amount of damp hops in a bag could cause the rest to deteriorate. To compound these problems, the burning of wood, coal, charcoal or 'welsh coal' (anthracite) on open grates inevitably involved contamination of the hops to a greater or lesser extent. Theories to combat this contamination were put forward from at least the second half of the seventeenth century (1).

Experiments using enclosed stoves or furnaces began in the first half of the eighteenth century. Although the later years of the century brought improved stoves which are said to have been widely used, many driers found it harder to judge the state of the fire and, therefore, harder to raise and maintain the temperatures proper to each stage of drying. Many are known from both documentary and building evidence to have continued with the use of open grates despite improvements to stoves such as added pipework designed to carry the heat up towards the drying floor (2). It was against a background of persistent problems that John Read, gardener, inventor and native of a large hop-growing parish, Horsmonden, turned his attention to perfecting a new type of oasthouse in which many such problems would be eliminated.

Read's Design (Fig 1)

He eventually submitted his perfected design to John Claudius Loudon for inclusion in his 'Encyclopaedia of Cottage, Farm and Villa Architecture' in 1835 and sent him the ground plan and sections of an oasthouse actually erected in 1832 in Teston, near Maidstone (3). His first experiments had been made in 1796; it had indeed taken him "many years of experiment and adaptation".

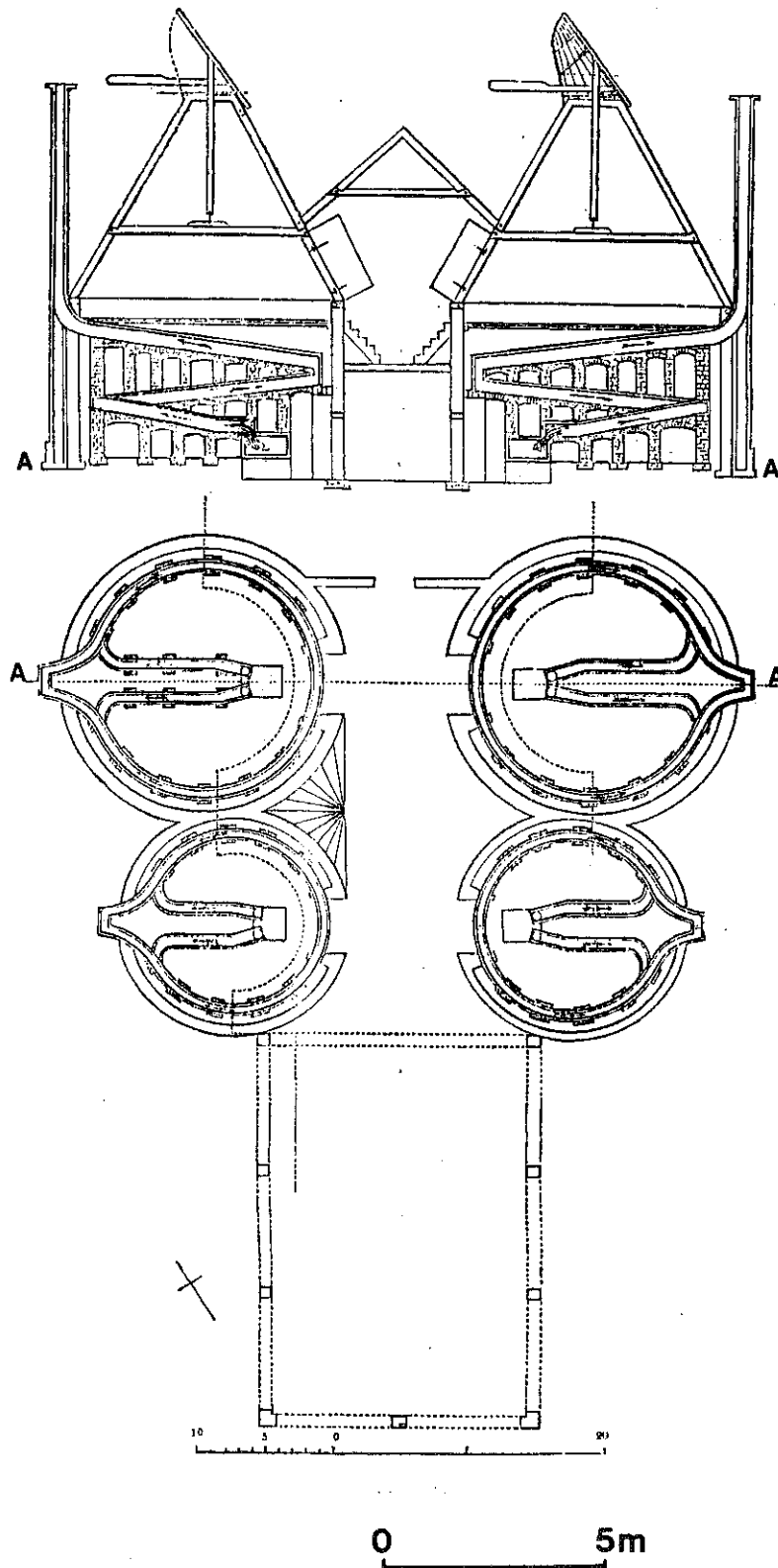


Fig. 1

The plan and section of the oasthouse at Teston as published in Loudon's 'Encyclopaedia of Cottage, Villa and Farm Architecture.

Loudon was clearly excited by the originality of the design. Read's experience as a gardener, of using smoke flues in hothouses and steam in pineries had brought him to an inventive application of similar principles for the drying of hops. Once his ideas had been perfected in practice, he adopted a circular kiln because of its greater strength and economy in the use of brick. He is not known to have claimed to have invented the circular kiln, but its invention has since frequently, and erroneously, been attributed to him (4). (Round kilns have been in use since prehistoric times for the drying of grain, malt, seeds and various other substances.)

The illustrations and accompanying explanations in Loudon's *Encyclopaedia* demonstrate a system of brick flues supported by brick piers and arches built about 150 - 200mm away from the internal face of the wall of the kiln. The flues were designed to carry the heated air not only right up to the drying floor, but also all round the kiln. With open grates, such proximity would have resulted in poor draught and in scorching the bottom layer of the hops. The brick flues, however, were to produce and maintain a controlled and even heat emanating from the side walls of the kiln, thus eliminating pockets of cold or damp air, whilst heat rising from the furnace itself would more than adequately spread across the centre of the kiln.

The Kiln

The pages of the *Encyclopaedia* set out in general terms the specification for every part of the kiln, giving some dimensions and omitting others. The walls were of 225mm brickwork on 450mm footings. A door on both ground and first floor opened from the stowage into the kiln. The one provided on the ground floor was kept low, not more than 1.37m maximum, because Read held that a low door improved the draught. Fumes from the furnace were ducted away into a chimney built on the outside wall immediately opposite the door.

Plenum Chamber

A cockle or furnace of cast iron stood at the end of a short, covered entrance passage with two doors, one on either side of the furnace, leading into the area behind (5). The furnace itself had two doors, one to the fire box, and one to the ash pit below. Both furnace and flues were blackened on the outside in order to increase the radiation of heat, and the inside face of the walls was whitened in order to prevent the bricks from absorbing heat.

From the rear of the fire box two horizontal sections of pipe constructed of either iron or firebrick and of just less than a metre in length, conducted the heat towards the wall of the kiln where it entered the flues which immediately separated and started to rise round the wall. Each flue passed half way round the kiln in opposing directions and came together again when they reached the piers above the entrance passage. Here each one rose vertically for a short distance and then returned back round the kiln, still rising, until they connected with the chimney flue at a point just below the drying floor. The side walls of the flues were built directly upon the piers or arches which supported them.

They were constructed of three courses of brick-on-edge and sealed across the top by either brick or tile. Initially it is stated that either could be used, but later in the description, tile is said to be preferable because duty could be saved. Two courses of tiles 150mm by 75mm are stipulated, the joints staggered in order to prevent smoke from penetrating into the plenum chamber. The piers which supported the flues were also built of open brick-on-edge work and between them stretched an arch 110mm deep. Read suggests that the flues could easily be cleaned, either by removing one or two of the covering-tiles to insert a brush, or by burning in the furnace a few handfuls of dry brushwood or dried hop-bine which would create sufficient draught to carry all the soot out of the chimney.

Drying Floor and Cone

The joists for the drying floor were lodged on a course of corbelled brickwork. Across them were laid iron laths, 50mm across the top, roach bellied underneath, and shallow, being only 6.25mm at their thickest. Perforated tiles such as were used in malt kilns were laid across the top of the laths and the weight of this floor was supported by one or perhaps two iron girders with iron stanchions where necessary. When the drying floor was laden, the hops were prevented from falling out at the doorway by boards slotted between guides nailed to the door frame.

No firm dimensions are given for the height of either the eaves or the top of the conical roof, but Read appears to have considered it crucial that the circular roof should start gathering in at a point 450mm above the top of the tiles. Where the roof gathered in, the opening was closed by a pair of doors which could be lifted and laid back on the slope. A collar beam across the kiln just above the opening carried the pivot of the spindle of the cowl. The rafters, rising from a plate laid on top of the kiln wall and tapering from 100mm x 50mm at the bottom to 75mm x 37mm at the top, rose to an iron curb which also supported the stay for the cowl.

The Stowage

Very few details were given of the stowage, probably because there was little to improve in the traditional ideas for stowage building. The introductory remarks proclaim the necessity of having a "...cool well-ventilated loft adjoining...formed over a cart-shed, or some other building open on one or on all sides", and the section through the two larger kilns shows in outline the sort of building considered necessary. The level of the cooling floor was considerably below that of the drying floor. Access to that was via a pair of movable steps which could be hooked to the wall just below the door opening. When the hops were dry the steps were to be removed and the hops shovelled out of the kiln down on to the floor. They would lie on this floor until deemed to be sufficiently cooled, at which point they were to be trodden into pockets or bags at a treading hole fashioned into the floorboards. The ground floor of the building perhaps served as the 'shed' whence the hops were sent to market. The

'store loft' prescribed for those hops which were not to be sent until prices were right, was probably in another building, given that the bags needed to be 'carefully excluded from the air'.

A Surviving Example of a 'Read Kiln'

Given firstly, the published design, and secondly, the numbers of round kilns known to have been constructed in Kent and Sussex, it might have been thought that Read's ideas were finally considered suitable only for circular kilns. Necessarily, however, his early experiments must have been conducted in the square or rectangular kilns traditional at the end of the eighteenth century and at the beginning of the nineteenth. The recent recording of an oast in which a 'Read kiln' survives intact finally dispels any doubt: it has one square kiln. And, as if to underline this fact, another oasthouse nearby which has two square kilns, also reveals remnants of Read's system.

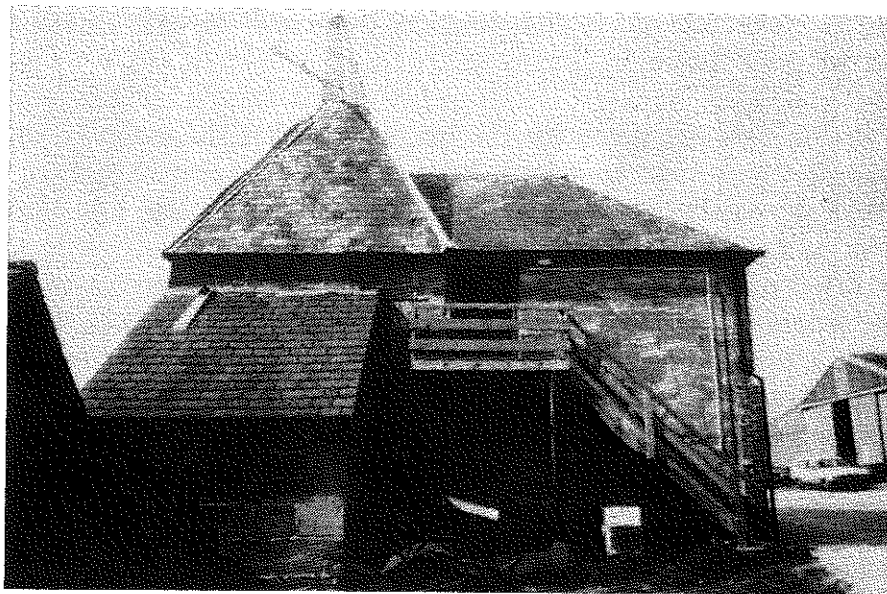


Fig. 2

Bird-in-Eye oasthouse. The kiln remains unconverted. The stowage is used on the ground floor by a saddlery firm, on the first floor by an upholstery firm whose workshop occupies the former stable building nearby.

Bird-in-Eye Farm Oasthouse, Framfield Parish, Sussex. (Fig.2)

The farm was part of the Buxted Park Estate and documentary evidence shows that Bird-in-Eye farm (formerly spelt Budny/Budney), always moderate in size - roughly 70 acres - was established at the very end of the eighteenth century on land originally farmed with Gatehouse farm. A mixed farming economy was adopted and the farmstead eventually acquired a brick-built barn, oasthouse, stable, dairy, cowshed, tackle-store and enclosed yard (6).

The oasthouse, first mentioned in a lease of 1838, originally comprised a single kiln and stowage on a north-west/south-east axis (assumed west/east for the convenience of this discussion) with a covered entrance and storage area on the south wall. To the north a lean-to was added and subsequently altered and enlarged (Fig.3).

Stowage

The stowage measures 4.6m by 4.36m. The north, south and west walls at both ground floor and first floor levels were originally of dressed and coursed stone blocks, 225mm thick. The east wall was open at ground floor level and at first floor level was timber-framed and weatherboarded. Owing to later alterations, only a fragment of the north wall now survives at first floor level. There may initially have been a north window, but at the present time just one window in the east wall lights this floor.

Access to the cooling floor is by an external staircase on the south wall. There is a press, by Drake and Muirhead, and its position slightly off-centre suggests that the original treading hole may have been re-used for the press. At wall-plate level dragon-ties brace each corner and the hipped roof has two main trusses, one at the hip and the other positioned just before three Jack-rafters join the main roof to the slope of the kiln. Externally the roof is of slate on battens (Fig.4).

Kiln

The kiln measures 4.32m by 4.05m. The walls are of stone with some brick coursing in the north, east and south walls.

A two-leaf external door originally opened into the plenum chamber. Its entrance arch has a single brick lining and two metal doors, one either side of the furnace, are hung on the internal face of the entrance. These open into the area to the rear of the furnace where the system of flues supported on piers and arches rises from a concrete floor 460mm above ground level (Fig.5).

The drying floor is 0.87m above the cooling floor and a short flight of steps gives access to it. At the base of the door a board slotted into guides nailed to the jambs keeps the hops in the kiln. Above, a door hung on the right-hand jamb closed the gap to the point where the roof starts to slope inwards. Here

two other side-hung doors open and fold back on to the slope (Fig.6). The ends of the joists to the drying floor are supported on brick corbelling on the north and south walls and are strengthened centrally by a timber girder. The drying floor has timber laths over which an oast haircloth was spread. The roof is of slate on battens. The rafters are lathed and plastered internally. Dragon-ties brace each corner. Three metres above the drying floor two cross-beams support the spindle of the cowl.

Lobby

The covered entrance and storage area or lobby is brick-floored. It is a single storey building which is contemporary with the stowage and kiln. It has a blank entrance opening in its east wall and a window in the south wall. Below this window is a draught opening. (There there is now another draught opening in the west wall where formerly there was a door). The roof is of slate on battens, underfelted, and the rafters are supported on a central purlin. Both half-gable ends are weather-boarded. The building shields the entrance to the kiln and was also used as a sleeping area for the drier (Fig.7).

Firing System

The fire was lit in a rectangular metal furnace whose fire bars were set level with the concrete floor over a sunken ash pit at natural ground floor level. Two openings in the roof of the furnace connect with two short lengths of parallel brick ducts supported by brick piers between curved arches. These ducts carry the warm air from the furnace to the flues at the inner face of the external wall (Figs.8 & 9).

The flue walls are constructed of three courses of brick-on-edge which rise directly off the piers and arches which support them and they are covered at the top with special bricks 310x145x56mm. From a central point in the north wall they are taken in opposing directions round the perimeter of the kiln and gradually rise towards the underside of the drying floor. Where they come together above the door on the south wall, the ducts rise vertically and independently for approximately one metre, and then turn and again follow opposing directions, running horizontally round the perimeter of the kiln supported by a second series of brick piers and arches. Where they meet, at the central point on the north wall, they turn to enter an external brick chimney (Fig.10).

The ducts were cleaned via removable plates set in the face of each straight length and the system's construction is stabilised by occasional brick spacers set between the internal face of the kiln and the walls of the flue. There are two draught openings in each of the south and north walls and one central opening in the west wall.

Discussion

The two most obvious differences between Bird-in-Eye and Read's building are in the use of stone rather than brick and in the kiln shape. Building stone is found in the locality and this may explain its use, especially as stone was also used in other parts of the farmstead. The choice of a square, rather than a round kiln, must presumably have been the landowner's and we shall never know why it was made.

The inspiration for the system used must, however, have been Read's. Since he described his stowage in only the most general and traditional terms, the one at Bird-in-Eye can be said to conform with the principles he laid down: it was originally open-ended on the ground floor; the level of the cooling floor is below that of the drying floor, and given the small scale of the building, the roof is sufficiently high to render it airy.

The flue system is so nearly identical to the one published that it is quite possible that Read actually supervised the building of the oasthouse himself: he is known to have overseen the construction of many, making visits to the owners both at the design stage and after completion of the building (7). It would not have been possible for him to expect each owner to adopt exactly the same template. Each oasthouse built had to respond to constraints both financial and topographical. Read's design had to be capable of alteration and adjustment. Here the shape of the kiln is used to institute a major change: the way in which the flues return horizontally round the top of the kiln. This may, indeed, have been intended as an improvement as the heat is maintained at a constant level beneath the drying floor.

Other changes are less fundamental. The pillars are not constructed in brick-on-edge work. The need to take the flues across the angle of the corners occasioned the use of unusual curved bricks. Furthermore those bricks, 310mm by 145mm which are placed across the top of the flues may well have also been specially made for use in such kilns (8). Either these were just easier to lay, or the double tile course recommended in the *Encyclopaedia* was not found to be adequate in practice. As a result of the adoption of these bricks, mortared together to prevent the smoke from penetrating into the kiln, it became necessary to provide a front opening in each length of the flues so that they could be swept clean.

The furnace used follows Read's design closely except that its ash pit has no door (9). There are still two doors, however, but at Bird-in-Eye the top door opened to allow a pan of sulphur to be placed on top of the fire-box. As sulphur was already in use by the end of the eighteenth century, it may be that it was not mentioned by Read because he thought that to recognise the need for cosmetic improvement of the colour of the dried hops would reveal an inherent weakness in his system (10).

The door into the kiln, at 1.97m above ground level, is not as low as Read stipulated, but since both the brick floor of the lobby and the floor on which the furnace stood were respectively 230mm and 460mm above ground level, a better draught may have been achieved without making entry into the kiln so difficult. As for his recommended blackening, "in order to increase the radiation of heat", the furnace at Bird-in-Eye is blackened externally but the flues are not. Indeed they show some signs of having been whitened.

Corbelled brickwork is used to support the ends of the joists to the drying floor but they are strengthened by a timber, not metal girder. They are also more numerous because this drying floor was designed to have timber slats and a hair cloth rather than metal slats and terracotta tiles. It may be, of course, that the original 'malting' floor had to be replaced, perhaps at a time when perforated terracotta tiles were less easily obtained. In that case, the slatted floor must have been put in before 1906 when a valuation surviving in East Sussex Record Office lists an oasthair amongst the fitments (11).

It is true that Bird-in-Eye Farm is not in a major hop-growing area, and that is perhaps one reason why it never needed to be replaced or refurbished, but the fact that this oasthouse remained in use until 1965 is testimony to the soundness of Read's conception. The kiln's capacity was increased in 1945 by putting in a 'puller' fan which augmented the air speed by drawing the hot air through the kiln more quickly. This not only reduced the time taken to dry the hops, but made it possible, when conditions were right, to load them more deeply. To cope with this extra capacity, the cooling area was extended to the north.

In view of the numbers of such kilns which must have been built, it perhaps seems surprising that this is the only complete example discovered so far. The reason is that most kilns have been stripped of their fitments when the industry in the twentieth century was revolutionised first by electric fans, then by 'pure' hot air blown through the kiln and finally by diesel firing. It is to be hoped that what is described above will make it possible for other recorders to recognise fragmentary remains of the same system elsewhere. It would be particularly interesting to know whether any such kilns were ever built in hop-growing areas other than Kent and Sussex. As we have seen, the kilns did not need to be round.

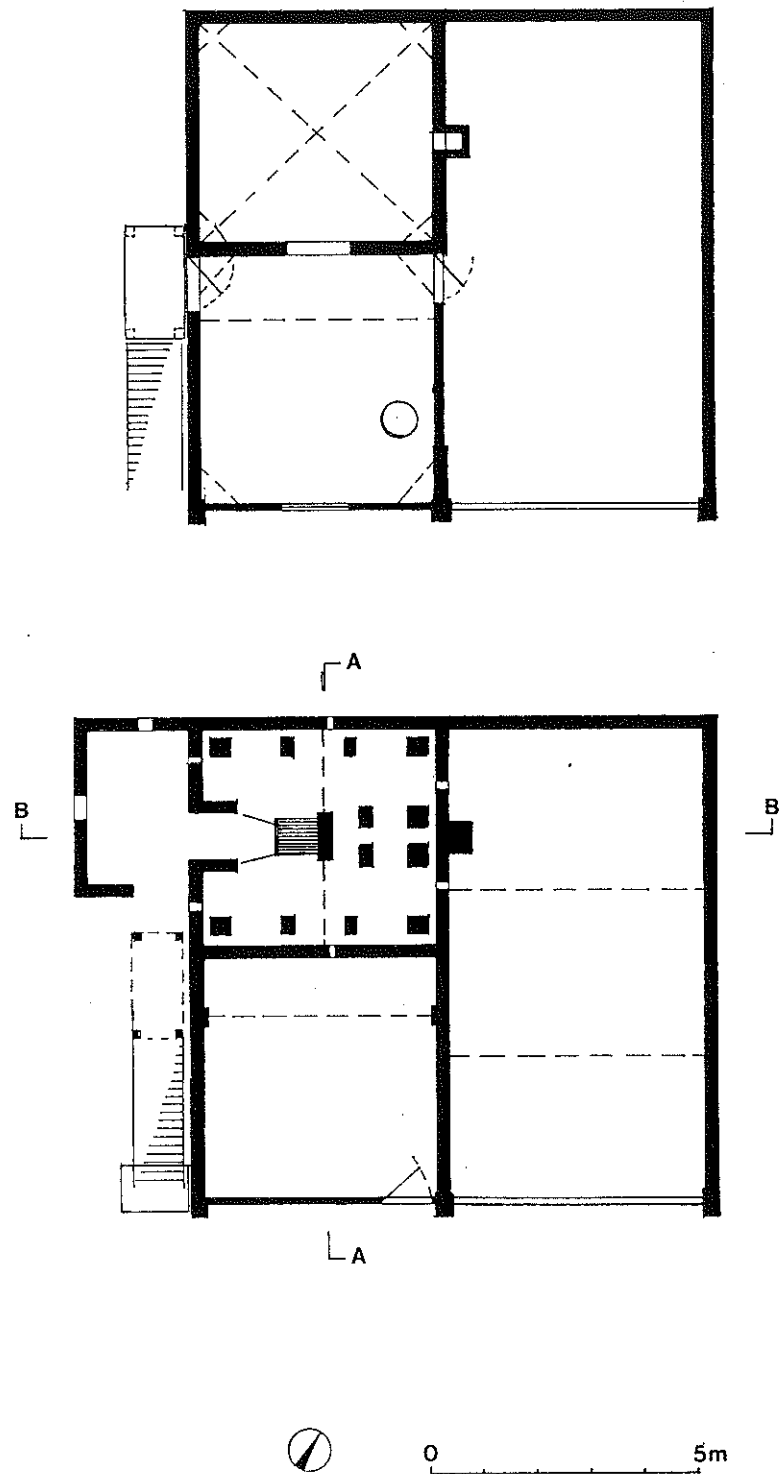


Fig. 3

Bird-in-Eye oasthouse: plans. The first floor plan shows the extra cooling area added after the installation of a 'puller' fan. This addition replaced a lean-to added to the north wall between 1899 and 1910.

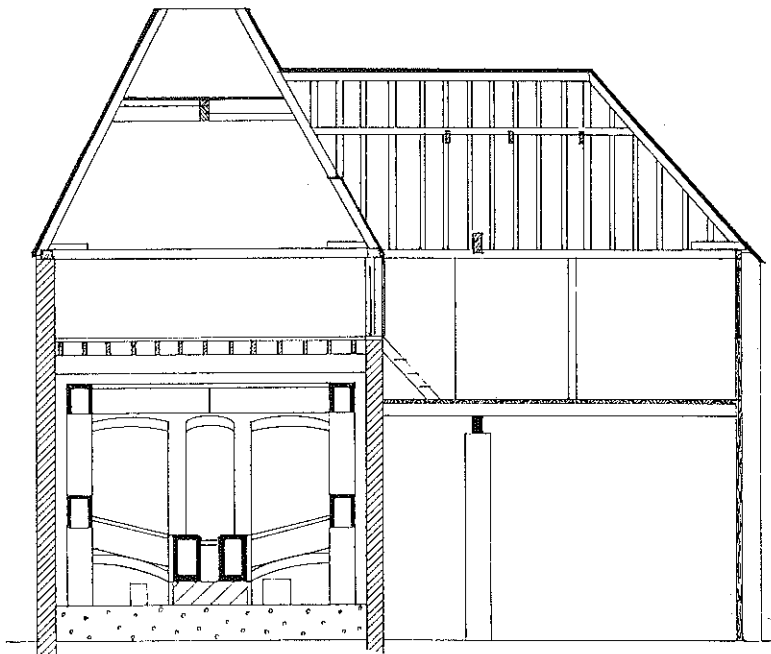


Fig. 4

Bird-in-Eye oasthouse: section A-A.

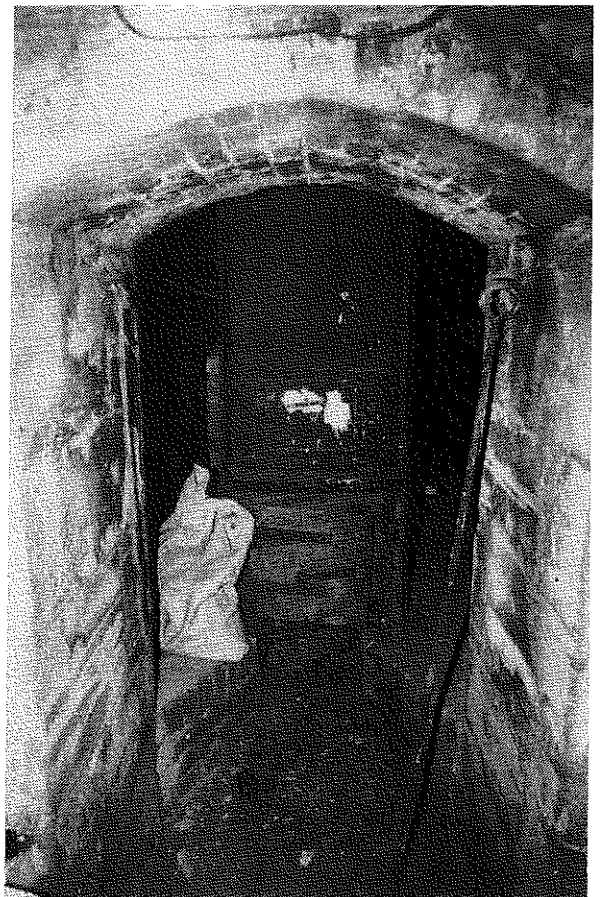


Fig. 5

The entrance arch and the iron furnace at the end of the short passageway. The long-handled rake placed against the right-hand wall allowed the drier to rake out the ash without standing too close to the furnace.

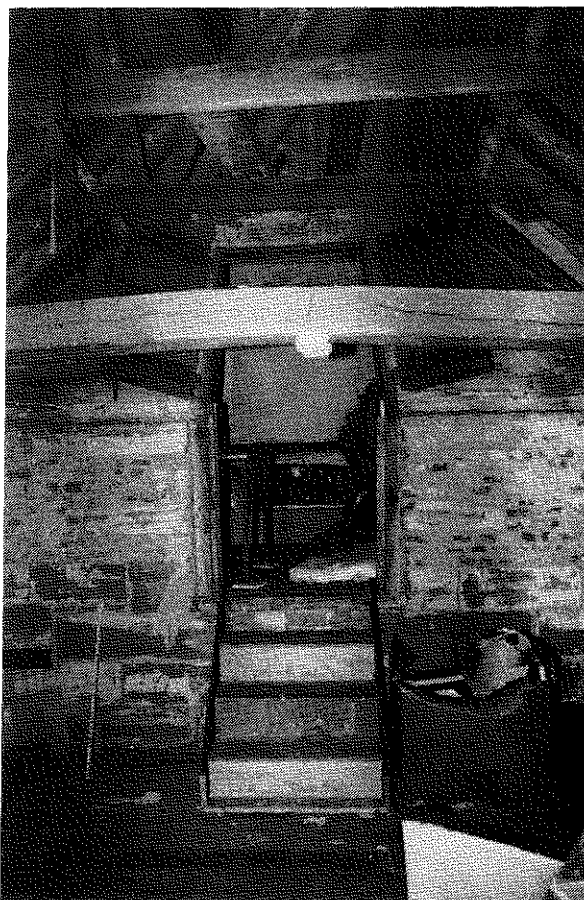


Fig. 6

The entrance to the kiln on the first floor. The steps are not the original flight. The guide nailed to the left-hand jamb indicates the height of the board slotted in to keep the hops in the kiln. The rides on the right-hand jamb mark the former position of the door above. The doors which closed across the slope of the kiln are still in situ.

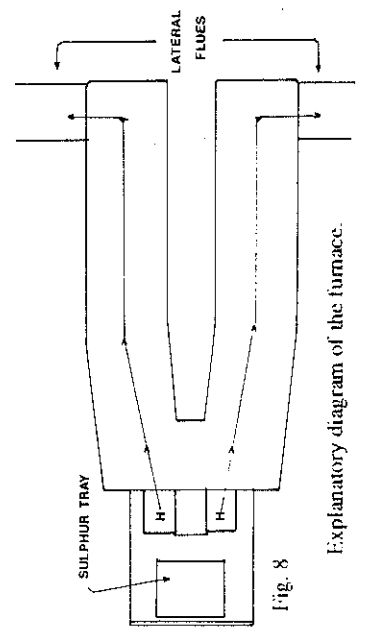
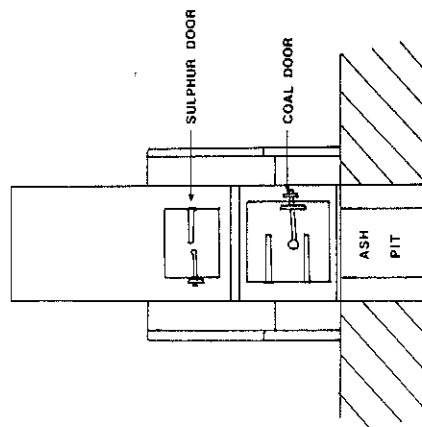
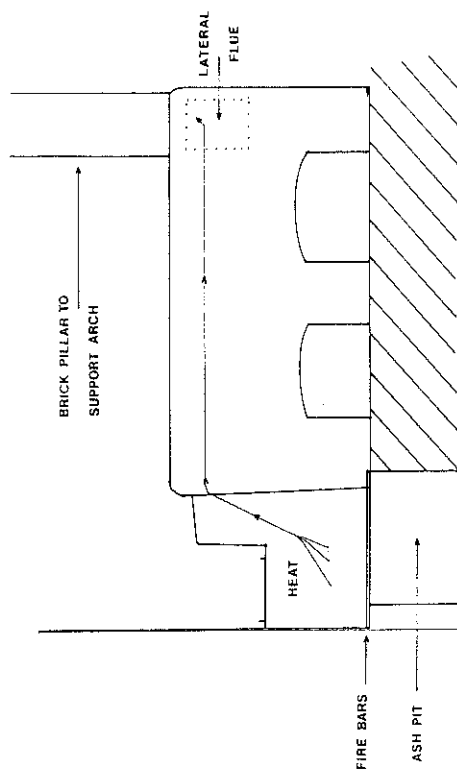


Fig. 8

Explanatory diagram of the furnace.

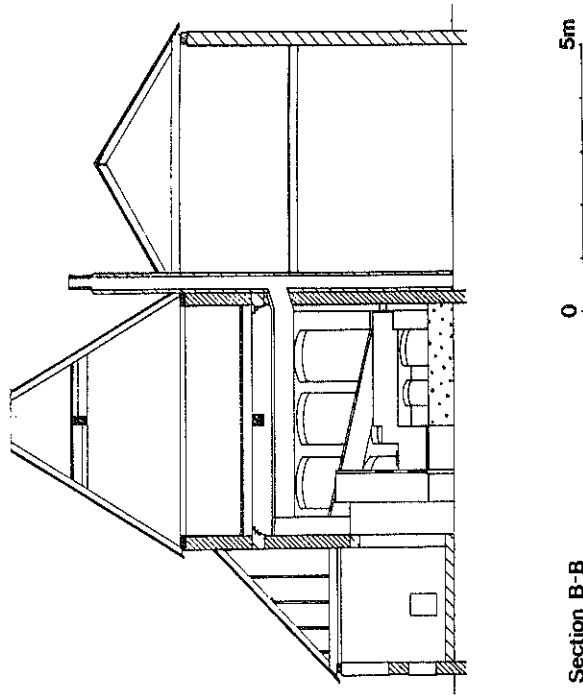


Fig. 7

Bird-in-Eye oasthouse: section B-B.

Fig. 9

Diagram to show the circulation of the heated air round the kiln.

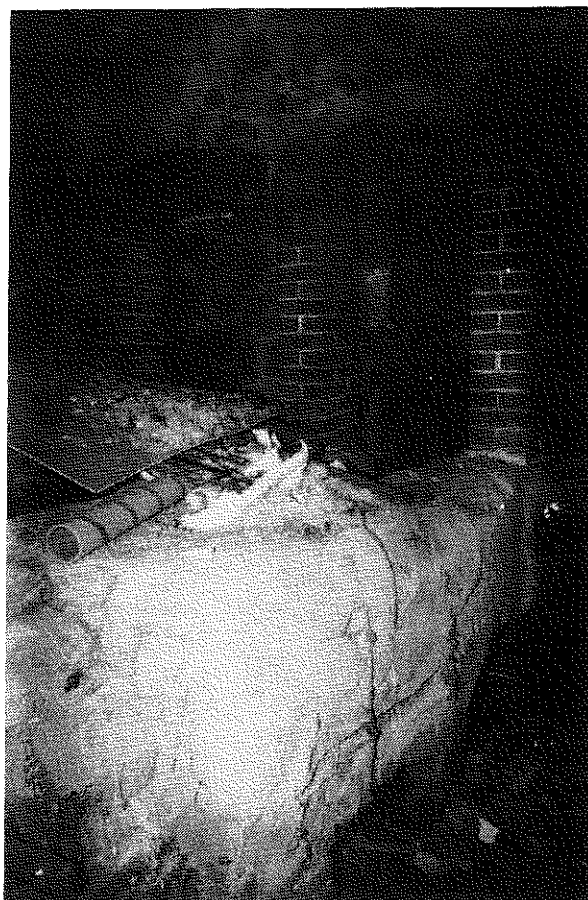
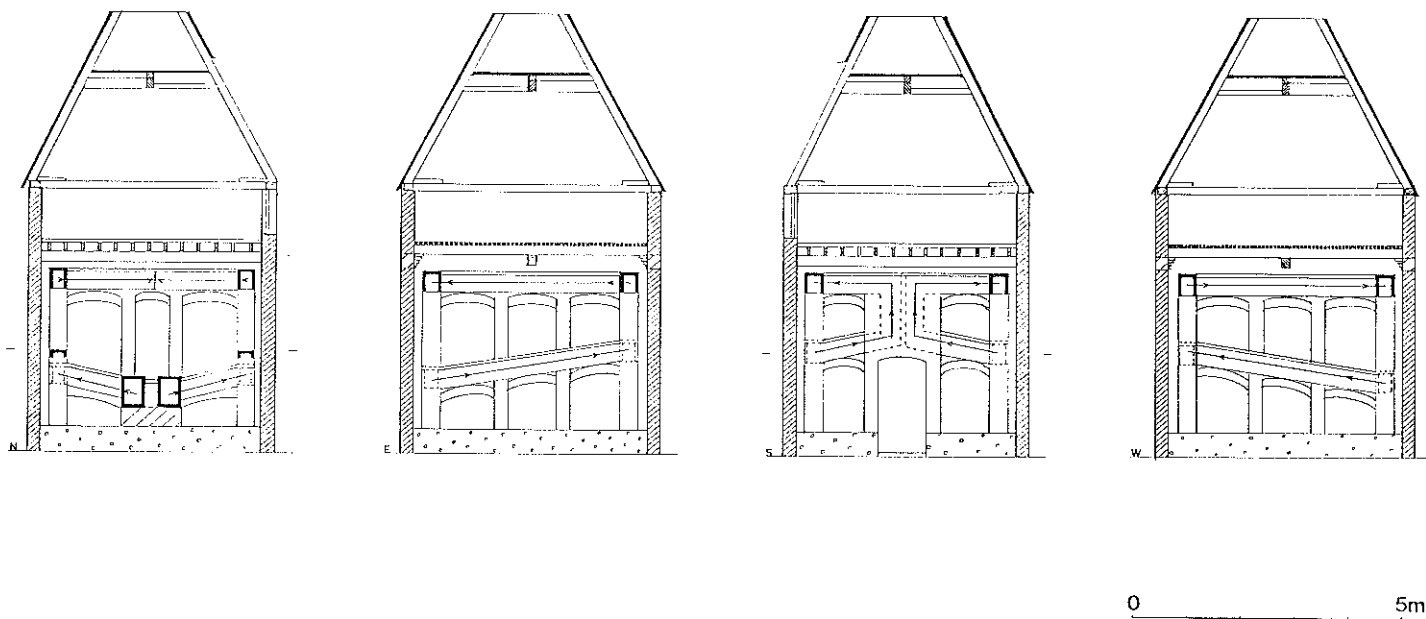


Fig. 10

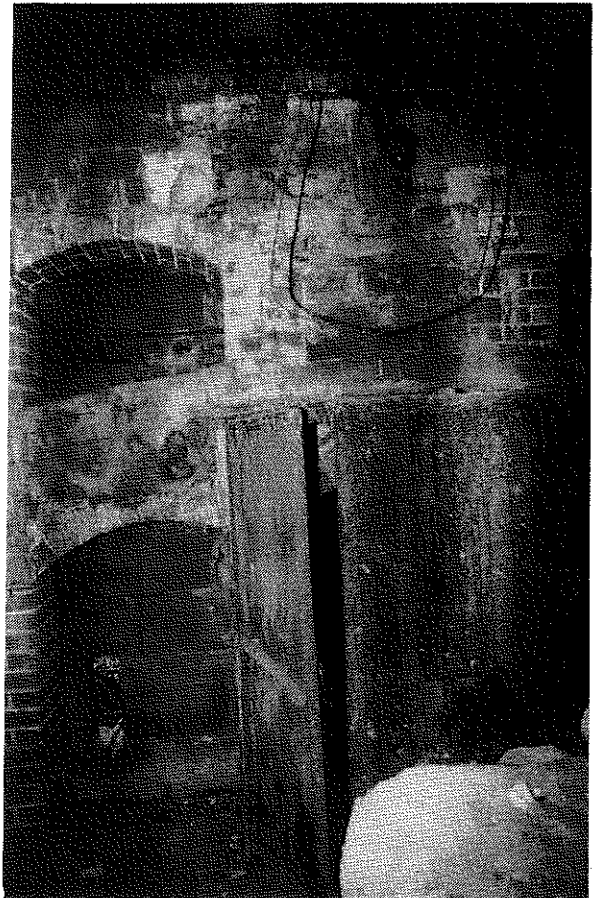
10i: The furnace. The photograph shows the horizontal ducts leading to the flues on the north wall.



10ii: The north wall of the kiln. The separation of the flues is visible at the lower level. The point at which they entered the chimney is shown at the top: the curved bricks are intact on the east side but have collapsed on the west side.



10iii: The rise of the flues on the west side of the kiln.



10iv: The south wall of the kiln. A draught opening is visible in the stone wall at ground level. The vertical rise of the flues is marked by the bricks-on-edge in the centre between the two upper arches.

References

- (1) See, for example, Worlidge, J. Systema Agricultura - The Mystery of Husbandry Discovered, (1669).
- (2) Lance, E.J. The Hop Farmer, (1838).
- (3) Loudon, J.C. Encyclopaedia of Cottage, Villa and Farm Architecture, (1835).
- (4) See, for example, Goodsell, R.H. A Kentish Patchwork, (1966).
- (5) 'Cockle' is used in Loudon as an alternative for 'furnace', both being used to indicate an enclosed stove of iron. E.J. Lance (op. cit., pp 148/9), however, explains the word differently: "By the word cockle, is to be understood that the flues wind round about the house, that is, twisted, which flues, offer great facilities for forming a highly rarefied air." In both of these accepted senses the word could be applied to Read's kiln. The word's derivation is stated to be uncertain in the Oxford Dictionary, but a Dutch origin is suggested. Other dictionaries suggest an Indo-European origin linking the word with the very first ovens used for cooking.
- (6) For the farm's history see the following documents in East Sussex Record Office:
AMS 445; Framfield Tithe Map TD/E/6 1841, Uckfield Tithe Map TD/E/ 1841; SAS H 158; Ordnance Survey 1st Edition 25" map: Sheet Sussex 41/1 1874, 2nd Edition 1899, 3rd Edition 1910; A5290 2/2.
- (7) Quoted in Jones G. et al. 'Oasthouses in Ewhurst Parish: Evidence for the History of an Industry', Sussex Archaeological Collections, vol. 126, (1988)
- (8) Beswick, M. Brickmaking in Sussex, personal communication.
- (9) The Berry family who have worked the farm since 1908 recall that a replica furnace was specially made by a local craftsman when the one then in the kiln became too old to use.
- (10) William Marshall mentions sulphur burning as an established practice in The Rural Economy of the Southern Counties, (1798)
- (11) East Sussex Record Office (BMW A2 Vol.151)
The metal girders and stanchions which Read suggested might be necessary to support the weight of a tiled drying floor were found in a nearby oasthouse although even there, close-set timber slats had replaced the original widely spaced metal ones. The kilns had been enlarged, perhaps expressly to accommodate the new concept of hop drying. They reveal further adaptation of the published design. They have a lower drying floor and the flues appear

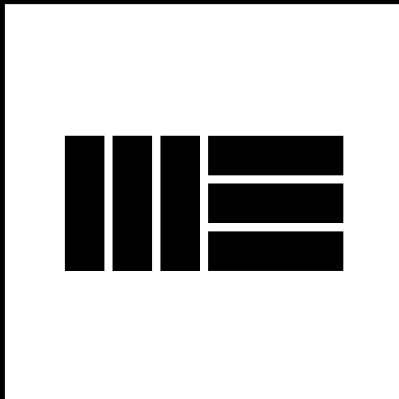
only to have made one circuit of the kiln. The chimney is above the entrance door rather than opposite to it. The evidence for it having dried according to Read's system is incontrovertible, however: excavation of the floor revealed the bases of the piers and the sunken ash-pit towards the centre of the kiln.

The grandfather of the present owner became tenant in 1908. The owner's father bought the farm in 1922 when the Buxted Park Estate was sold.

ACKNOWLEDGEMENTS

Grateful thanks are extended to Mr. Berry, the owner of the farm, for allowing the building to be recorded, to John Bell for invaluable help with the recording, to Mr. Anthony Cronk for first mentioning this building to me, and to the staff of East Sussex Record Office.

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