



Town & Country Planning Act 1990 (as amended)

Appeal Ref: APP/C1435/W/23/3335625
LPA Ref: WD/2022/3222/MAO

Land South of the A271 and east of the A22, Lower Horsebridge, Hailsham, East Sussex BN27 4DN

Heritage Evidence - Appendices
For the appellant: Hertfordshire Holdings Ltd

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March 2024

Appendices

Appendix a	List descriptions
Appendix b	<i>Palmer v Herefordshire Council</i> [2016] EWCA Civ 1061
Appendix c	Heritage statement: Land at Knight's Farm East, Lower Dicker, Hailsham (Fuller Long, August 2023)
Appendix d	Minutes of meeting of Wealden DC Full Council, held on 22 November 2023
Appendix e	Plates

Appendix a

List descriptions

Ref	Description
LB3 NHLE 1353343	Brook House GV II 1830 circa. Half-H-shaped. Two storeys. Three windows. Ground floor red brick and grey headers, above tile-hung. Tiled roof. Casement windows. The wings have gables with scalloped bargeboards. The ground floor of the centre portion has been filled in later to form a porch.
LB12 NHLE 1180372	Originally known as Horeship Farm. Built by M Fuller in 1652. Timber-framed building encased in red brick and altered in the early C19. Two storeys and attic. Four windows. Three gables containing attic windows. Centre gable has a pendant with the date 1653 and the initials "M.F.". Pentice on west side of west gable. Cemented stringcourse. Tiled roof. Early C19 windows with rusticated painted surrounds and 2 or triple narrow sashes. Four-centred doorway flanked by narrow lights. Brick chimney breast with offsets on east wall.

Appendix b

Palmer v Herefordshire Council [2016] EWCA Civ 1061

Case No: C1/2015/3383

Neutral Citation Number: [2016] EWCA Civ 1061
IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT: PLANNING COURT
HIS HONOUR JUDGE DAVID COOKE

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 04/11/2016

Before:

LORD JUSTICE MOORE-BICK
LORD JUSTICE LEWISON
and
LORD JUSTICE HAMBLÉN

Between:

PALMER
- and -
HEREFORDSHIRE COUNCIL & ANR

Appellant

Respondent

Mr James Burton (instructed by **Kidwells Law Solicitors Ltd**) for the **Appellant**
Mr Matthew Reed (instructed by **Herefordshire Council**) for the **Respondent**

Hearing date: 25/10/2016

Judgment

Lord Justice Lewison:

1. On 15 December 2014 Herefordshire Council (“the Council”), as local planning authority, granted planning permission for the erection of four poultry broiler units and associated infrastructure at Flag Station, Mansel Lacy, Herefordshire. Mr David Palmer, who lives nearby at Shetton Barns and has a holiday lettings business, challenged that grant on a number of grounds. HH Judge David Cooke rejected all grounds of challenge in his judgment of 22 September 2015 ([2015] EWHC 2688 (Admin)). He granted permission to appeal to this court on one ground only, namely that the Council had failed to comply with its statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The judge described the proposed development thus:

“The proposed development consists of four large sheds, each approximately 95m long, 25m wide and 6m high. Each will have three feed silos adjacent, somewhat taller than the shed, and accommodate 45,000 broiler chickens at any one time.”
3. Some 50 metres from the broiler units lies Flag Station. It is a disused railway station, built in about 1863, and is a Grade II listed building. Flag Station is owned by, and under the control of, the developer and forms part of the same agricultural unit as the site of the proposed broiler sheds. Mr Palmer’s case is that the Council failed to demonstrate that it gave appropriate weight to the desirability of preserving the setting of that listed building, and failed to consider in that context non-visual harm to its setting, in particular from the noise and smell that would be occasioned by the operation of the broiler units and the spreading of manure on open fields.
4. Section 66(1) provides, so far as material:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... 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.”
5. Since section 66(1) requires that “special” regard must be paid to the desirability of preserving a listed building or its setting, this means that that desirability must be given “considerable importance and weight.” *The Bath Society v Secretary of State for the Environment* [1991] 1 WLR 1303, 1319. In this context the concept of “preserving” the building or its setting means “doing no harm.” *South Lakeland District Council v Secretary of State for the Environment* [1992] 2 AC 141, 150. Although the most obvious way in which the setting of a listed building might be harmed is by encroachment or visual intrusion, it is common ground that, in principle, the setting of a listed building may be harmed by noise or smell. The degree of harm (if any) is a matter of judgment for the decision maker, but if the decision maker decides that there is harm, he is not entitled to give it such weight as he thinks fit. To the contrary he must give it considerable weight: *East Northamptonshire DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137, [2015] 1 WLR 45 at [22]. However, this does not mean that the weight that the

decision maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question: *East Northamptonshire DC* at [28]; *R (Forge Field Society) v Sevenoaks DC* [2014] EWHC 1895 (Admin); [2015] JPL 22 at [49]. This is consistent with paragraph 132 of the National Planning Policy Framework (“the NPPF”) which states:

“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. The more important the asset, the greater the weight should be.”

6. On the same theme paragraph 134 of the NPPF states:

“Where a development proposal will 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, including securing its optimum viable use.”

7. The existence of the statutory duty under section 66(1) does not alter the approach that the court takes to an examination of the reasons for the decision given by the decision maker: *Jones v Mordue* [2015] EWCA Civ 1243; [2016] 1 WLR 2682. It is not for the decision maker to demonstrate positively that he has complied with that duty: it is for the challenger to demonstrate that at the very least there is substantial doubt whether he has. Where the decision maker refers to the statutory duty, the relevant parts of the NPPF and any relevant policies in the development plan there is an inference that he has complied with it, absent some positive indication to the contrary: *Jones v Mordue* at [28]. In examining the reasons given by a local planning authority for a decision, it is a reasonable inference that, in the absence of contrary evidence, they accepted the reasoning of an officer’s report, at all events where they follow the officer’s recommendation: *R (Fabre) v Mendip DC* (2000) 80 P&CR 500, 511; *R (Zurich Assurance Ltd) v North Lincolnshire Council* [2012] EWHC 3708 at [15].
8. In reading an officer’s report, the court must not impose too demanding a standard: *R (Morge) v Hampshire County Council* [2011] UKSC 2, [2011] 1 WLR 268 at [36]. Such reports are addressed to a knowledgeable readership including members of the planning committee who, by virtue of that membership, may be expected to have substantial local and background knowledge. That background knowledge includes a working knowledge of the statutory test for determination of a planning application: *R (Zurich Assurance Ltd) v North Lincolnshire Council* at [15]. Where a claim for judicial review is based on alleged deficiencies in an officer’s report to the planning committee it normally needs to be shown that the overall effect of the report significantly misleads the committee about material matters which remain uncorrected at the meeting of the planning committee before the relevant decision is taken: *Samuel Smiths Old Brewery (Tadcaster) v Selby District Council* (18 April 1997). The ultimate test is whether the reasons enable the reader to understand why the matter was decided as it was and what conclusions were reached on the principal important controversial issues. The reasoning must not give rise to a substantial doubt (as opposed to what has been called a “forensic doubt”) as to whether the decision maker

erred in law, although such an inference will not be readily drawn: *South Bucks DC v Porter (No 2)* [2004] UKHL 33, [2004] 1 WLR 1953 at [36].

9. The first question, as it seems to me, is to consider whether the Council (through the advice it got from its officers) identified any (and if so what) harm to Flag Station. There was a debate about whether the judge found that the Council had identified harm. This turned upon a meticulous examination of the language of the judgment. But that is a sterile debate, since we have the primary documents.
10. Before the planning officer prepared his reports for the committee, the Council took the advice of internal consultees: Ms Tinkler, a landscape consultant, and Ms Lowe, a senior buildings conservation officer. In her report of 1 May 2014 Ms Tinkler reported that there were several heritage assets with “could potentially be affected” by the proposals, and went on to consider potential effects. In paragraph 5g of her report she said:

“It is possible that the buildings would be visible from Flag Station and they would certainly adversely affect its setting. The amenity of the residents here is also likely to be adversely affected by traffic, activity, noise, smell and so on. It should be demonstrated that any adverse effects can be satisfactorily mitigated.”

11. Her conclusion in paragraph 6 was:

“I do not object to the proposals in principle but effective and appropriate mitigation is required in order to avoid adverse effects in the longer term, and to safeguard the amenity of residents at Flag Station and Shetton Barns to the south west. Without it, the development would be contrary to planning policy including UDP Policy LA2 Landscape character.”

12. Paragraph 5g is not, in my judgment, a statement that the proposals *would* adversely affect Flag Station or its setting. Rather it is a statement that they would adversely affect Flag Station or its setting *in the absence of satisfactory mitigation*. That is the only reading which is consistent with the last sentence of paragraph 5g and also Ms Tinkler’s overall conclusion. What is noticeable about her conclusion is that with the mitigation measures adverse effects would be *avoided*, not that they would be outweighed by countervailing benefits of the development. In addition policy LS2 states that:

“Proposals for new development that would adversely affect either the overall character of the landscape ... or its key attributes or features will not be permitted.”

13. Ms Tinkler concluded that the proposals would comply with that policy. That is consistent with her view that the proposed mitigation measures would avoid adverse effects. The effects she discussed were not limited to visual matters, but also included such matters as noise and smell.

14. Ms Lowe ticked the box on her response stating that there was no objection to the proposed development. She began by saying:
- “Given the proximity of the proposal to the grade II listed Flag Station and its platform it is necessary to ensure that there is compliance with policy HBA4, Setting of Listed Buildings.”
15. The reference to policy HBA4 is a reference to the part of the development plan that states:
- “HBA4 Setting of listed buildings
- Development proposals which would adversely affect the setting of a listed building will not be permitted. The impact of the proposal will be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations.”
16. She said that the current proposal would not significantly affect the setting of Flag Station, and gave reasons for her view. Her conclusion was that:
- “Overall the proposal should have no detrimental impact on the setting of the listed building, Flag Station, given the mitigation measures proposed.”
17. Again, her conclusion was not that a detrimental impact on Flag Station would be outweighed by countervailing benefits, but that there would be *no* detrimental effect. Mr Burton, for Mr Palmer, placed some reliance on a later e-mail from Ms Lowe of 12 September 2014 but that, in my judgment, simply repeated the points that she had already made, and added observations about other heritage assets which play no part in this appeal.
18. The views of these two specialist officers were accurately summarised in the planning officer’s report for the planning committee’s meeting of 24 September 2014. That report also adverted to objections to the development which included “noise, dust, pests (flies) and odour issues in relationship to residential amenity”. Paragraph 6.12 of the report, under the heading “Landscape and Heritage” stated that the setting of Flag Station “will be affected as a result of the proposed development” and referred expressly to the duty under section 66(1). The report then concluded in paragraph 6.14:
- “The Conservation Manager (Historic Buildings) has considered the impact of the proposal on these historic assets and concludes that, with mitigation, including retention of woodland, the proposal is considered to meet the requirements of key policies HBA4 and LA4 of the HUDP and section 12 Conserving and enhancing the historic environment. (NPPF)”
19. This rather condensed statement needs to be unpacked a little. Compliance with policy HBA4 must mean that in the opinion of the officer the development would not adversely affect the setting of a listed building. Policy HBA4, it will be recalled, deals not only with visual impact but also the effects of the “uses and operations” of the

proposed development. The reference to policy LA4 is a reference to the part of the development plan that states, so far as material:

“LA4 Protection of historic parks and gardens

Development which would destroy, damage or otherwise adversely affect the historic structure, character, appearance, features or setting (including the designed visual envelope) of a registered park or garden will not be permitted.”

20. Compliance with this policy must mean that in the opinion of the officer the development would not damage or otherwise adversely affect the character, appearance, features or setting of the heritage assets.
21. Mr Burton argued that paragraph 6.14 of the officer’s report (a) did not encompass Flag Station and (b) was the officer’s own view rather than that of Ms Tinkler and Ms Lowe. The first point is, in my judgment, wrong. The reference in paragraph 6.14 to “these assets” is a reference to the assets previously discussed in that section of the report which included Flag Station. I do not think that the second point is right either, since paragraph 6.14 appears to be recording the views of Ms Lowe. It correctly records that her conclusion was that the proposal met the requirements of HBA4. That was expressly so in her first report in relation to Flag Station and was impliedly so in her second report in relation to Flag Station and the other listed buildings. Compliance with LA4 in relation to parks and gardens is also to be inferred from her second report and compliance with section 12 of the NPPF follows from meeting the requirements of HBA4 and LA4. But even if it is right, I cannot see what difference it makes. The officer who prepared the report was a professional planning officer, and he was entitled to form his own view for the benefit of the committee having informed himself by reference to the views of his specialist colleagues.
22. The proposal was deferred at the September meeting of the planning committee and came back before them at the meeting on 19 November. The planning officer prepared an updated version of his report. (In fact it was a different officer but that, I think, is immaterial). In paragraph 4.4 he reported that the Environmental Health Manager did not expect “any nuisance from light, dust, noise or odour (providing best practice is observed as per EP).” In paragraph 4.6 he addressed the question of odour, and concluded by saying that the Environment Agency did not “perceive odour to be a problematic issue.” He again reported the view of the Conservation Manager (Building Conservation) that:

“Overall the proposal should have no detrimental impact on the setting of the listed building, Flag Station, given the mitigation measures proposed.”

23. Paragraph 4.9 again accurately recorded the view of the Conservation Manager (Landscape) that effective mitigation measures were required in order to “avoid adverse effects.” In his summary of objections he recorded that there had been objections based on:

“Odour issues – all in relation to residential amenity”

24. Paragraph 6.12 again referred expressly to the duty under section 66 (1) and the officer reached the conclusion in paragraph 6.14 as he had in the report for the September meeting with minor and immaterial linguistic changes. Once again that conclusion referred to policies HBA4 and LA4, as well as to section 12 of the NPPF (which deals with heritage assets).
25. The important point is that his advice was that with mitigation measures, the proposed development complied with policy HBA4 (i.e. no adverse effect on the listed building or its setting) and with policy LA4 (i.e. no damage or adverse effect on the historic structure, character, appearance, features or setting). It was also said to comply with section 12 of the NPPF which says in terms that “great weight” must be given to the conservation of a heritage asset. In paragraph 6.31 the report stated:
- “There have been a number of competing elements to consider, not least of which have been the economic and amenity issues, landscape and historic heritage issues. The preceding sections of this report set out these and other issues and how they have been addressed through the application submission and/or the imposition of conditions.”
26. Finally in paragraph 6.34 the report concluded that having considered the HUDP and the NPPF “it is considered that the proposal complies with the relevant policies contained therein”. Those policies (which were mentioned in the body of the report) included policy HBA4 and policy LA4 (on which I have already commented).
27. Before the meeting Ms Hamilton, a planning consultant retained by the objectors, wrote in to say (among other things) that the officer’s report made no mention of any impacts other than visual ones and said that Flag Station would be “affected by the most intense odours”. This point was reported to the planning committee as an additional representation. Under the heading “Officer comments” the planning officer said:
- “Flag Station is in the control of the applicant, it is not unusual for dwellings on poultry units to be in close proximity to the buildings.”
28. The planning committee met on 19 November when the proposal was discussed. At some stage they had made a site visit. The question of odour was raised once again and the Environmental Health Officer said that even if properties were within 200 metres of the development “noise and odour levels would be acceptable.” At the end of the debate the local ward member said that odour would rarely be detectable because of the prevailing wind. The committee resolved to grant the permission.
29. It seems to me that the clear thrust of the reports to the planning committee, and the views of the specialist officers that underlay and were summarised in those reports, was that if the mitigation measures were put in place there would be no adverse effect on the setting of the listed building. I would accept Mr Reed’s submission for the Council that where proposed development would affect a listed building or its settings in different ways, some positive and some negative, the decision maker may legitimately conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the listed building or its setting. That is what the

officers concluded in this case. That is borne out by the overall conclusion that the proposed development would comply with policies HBA4 and LA4. Mr Burton submitted that policies in development documents pull in different directions, and referred to policy E16 which dealt with intensive livestock rearing. I have no difficulty with the proposition that different policies can point in different directions. In such a case the decision maker may have to decide whether to prefer one policy over another and to grant planning permission even though the requirements of one relevant policy have not been satisfied. But that is not this case. The report did not say that policy E16 overrode or outweighed policy HBA4: it said that policy HBA4 had been complied with. It is difficult to think of a policy that gives greater weight to the desirability of not harming a listed building or its setting than a policy that says that development that would adversely affect the setting of a listed building “will not be permitted”. (I pause to note that the relevant policy considered in *Jones v Mordue* was in much less absolute terms).

30. In my judgment the conclusion that the proposals would comply with policy HBA4 necessarily entails the proposition that there is no adverse effect on the setting of a listed building and that either section 66(1) is not engaged, or if engaged, the policy itself is sufficient compliance. Likewise the explicit reference to section 12 of the NPPF, in the absence of contrary evidence, points to the conclusion that any duty under section 66(1) was complied with.
31. Mr Burton suggested that if that had been the Council’s conclusion it would have been perverse, but the grounds of challenge do not include a perversity challenge and the permission to appeal does not permit the point to be taken either.
32. Mr Burton next argued that in coming to its conclusion the Council did not consider the effect of odour in the context of its statutory duty under section 66(1), even if it did consider the question of odour as a material consideration. It is thus argued that the Council carried out a flawed balancing exercise, in the same way as the inspector did in *East Northamptonshire DC*, by not considering odour through the filter of the special regard required by section 66(1). The first point to make is that Ms Tinkler did consider the potential effects of, among other things, noise and smell and in my judgment the mitigation measures she proposed were intended to deal with all those aspects of what she compendiously described as “amenity”. Her consideration included the setting of Flag Station. Second, policy HBA4 also deals with the effect of the uses and operations of the proposed development, and the officers’ view was that policy HBA4 had been complied with.
33. The judge’s conclusion on this argument is at [55]. He said:

“Taken in the round, it seems to me that the sensible inference from all this is not that the officers and the committee failed to take account of impacts other than visual ones on the setting of the Flag Station, but that they reached a conclusion about the impact on the setting of the listed building in which they considered that the main potential impact on that setting was visual, and so naturally concentrated on that. It is not in my judgment necessary for officers to refer individually to every potential aspect of the impact on the setting, nor is there any requirement that any detailed or structured assessment should

be made of every such aspect. It is not therefore a proper inference from the fact that they have failed to mention a particular point that it has been ignored. Given the amount of focus on noise and odour issues generally in this case, it is not credible that either officers or committee members did not have them in mind when considering the impact on the listed building. The assessment of that impact was a matter for the planning judgment of the committee. There is no doubt that the duty was considered and a judgment exercised, and I am not persuaded that any error of law was committed in doing so.”

34. I agree. Particularly telling is the observation of the Environmental Health Officer in the course of the meeting that the noise and odour levels would be acceptable, supplemented by the closing remarks of the ward councillor that the odour would rarely be detectable. It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that *any* harm, however minor, would necessarily require planning permission to be refused. I agree, therefore, with what the judge said at [61]:

“It is still plainly the case that it is for the decision taker to assess the nature and degree of harm caused, and in the case of harm to setting rather than directly to a listed building itself, the degree to which the impact on the setting affects the reasons why it is listed. Further, it is for the decision taker then to balance that against the benefits of the development. The duty to accord “considerable weight” to the desirability of avoiding harm does not mean that any harm, however slight, must outweigh any benefit, however great, or that all harms must be treated as having equal weight. The desirability of avoiding a great harm must be greater than that of avoiding a small one. The desirability of avoiding harm to a high category heritage asset must be greater than that of avoiding a similar harm to a less important asset.”

35. Mr Burton also took exception to the planning officer’s comment in his update to the committee, in response to the point raised about odour, that Flag Station was in the control of the applicant and that “it is not unusual for dwellings on poultry units to be in close proximity to the buildings.” Like the judge I do not read this comment as concentrating on the ownership of the building. The comment did not in fact mention ownership, but only control. I agree with the judge at [56] that the thrust of the observation was that “it was relevant that the listed building was in an agricultural setting and might be expected to be affected by otherwise acceptable agricultural uses”. In other words the setting of the listed building was an agricultural setting in the agricultural unit of which it formed part. As Mr Reed submitted if the point raised about odour had affected the officer’s view that policy HBA4 was complied with, his report would have been amended. That seems to me to be a fair point. Moreover, as Mr Reed also submitted since everyone knew that Flag Station was a listed building, and the officer knew (as his report demonstrates) that both the statutory duty and the

restrictive policies applied to it, it would have been extraordinary for him to have told the planning committee that they could ignore the listed status of Flag Station. Mr Palmer's planning consultant Ms Hamilton made a witness statement which said that, at the meeting of the committee, members raised the question of noise and smell affecting Flag Station and that they were told by the planning officer that Flag Station was not "considered to be a protected building because it was in the ownership of the applicant and would be inhabited by an agricultural worker". The judge rejected this evidence on the basis that the words attributed to the planning officer did not purport to be a quotation and that they were inconsistent with the other materials before the court. I am not prepared to say that he was wrong to do so, although it would have been preferable for the Council to have specifically responded to this evidence. In particular I do not consider that this evidence can be taken as meaning that the officer advised the committee that the listed status of Flag Station could be ignored when everyone knew that it could not be.

36. Finally Mr Burton said that the Council had failed to consider the significance of Flag Station and why it had been listed. This was a reference to paragraph 129 of the NPPF which says that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that might be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."

37. I found it very difficult to understand what difference this made. We are dealing with a building that was originally designed as a railway station, but the most significant impact on its setting was surely the closure of the railway line. It is now in use, as I understand it, as an agricultural dwelling forming part of an agricultural unit. The specialist officers, and the planning officer in overall charge of the application, have all concluded that as things now stand there would be no adverse effects on Flag Station or its setting. That as it seems to me is enough.
38. Mr Burton sought to raise an additional point that was not taken before the judge (and is not one of the grounds of challenge raised in the claim form or the Amended Statement of Facts and Grounds). What is said is that the Council failed to give notice to English Heritage (now Historic England) as required by regulation 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1980. The reason why it is said that this ground was not raised earlier is that Mr Palmer was unaware that notice had not been given and that the Council ought to have disclosed that omission pursuant to its duty of candour.
39. The officer's reports to the planning committee (both in September and November) had a section headed "Statutory Consultees". The only statutory consultees listed were Natural England and the Environment Agency. In my judgment it should have been apparent to Mr Palmer's team that a third statutory consultee, English Heritage, had been omitted. In addition if this point had been taken in the claim form the Council

would have had the opportunity to inquire of Historic England whether it had any objection to the proposed development. If it had none, then that would have been a good reason for refusing to quash the grant of planning permission despite the procedural error: *R (Loader) v Rother DC* [2016] EWCA Civ 795. The late application to amend has deprived the Council of that opportunity. In addition if a challenge were to be permitted on this ground it would be out of time under CPR Part 54.5 and would, moreover, be a ground of challenge for which the Planning Court had not given permission.

40. I would refuse permission to advance the new ground and dismiss the appeal.

Lord Justice Hamblen:

41. I agree.

Lord Justice Moore-Bick, Vice-President of the Court of Appeal, Civil Division:

42. I also agree.

Appendix c

Heritage statement: Land at Knight's Farm East, Lower Dicker,
Hailsham (Fuller Long, August 2023)

LAND AT KNIGHTS FARM EAST, LOWER DICKER, HAILSHAM

Heritage Statement

Project Ref: FL12189

Written By: Andrew Rudge

Date: August 2023



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1	INTRODUCTION	6
1.1	PROJECT BACKGROUND	6
1.2	AIMS AND OBJECTIVES	6
2	METHODOLOGY AND SOURCES	8
2.2	ASSESSING HERITAGE SIGNIFICANCE	9
2.3	DEFINITION OF HARM	10
3	THE SUBJECT SITE	12
3.1	SITE LOCATION AND CONTEXT	12
3.2	HISTORICAL CONTEXT	13
4	STATEMENT OF SIGNIFICANCE	17
4.1	SUMMARY OF HERITAGE ASSETS	17
4.2	ASSET DESCRIPTION: BROOK HOUSE	21
4.3	ASSET DESCRIPTION: GRANTHAM HOUSE	27
5	RELEVANT LEGISLATIVE & POLICY CONTEXT	32
5.1	INTRODUCTION	32
5.2	THE PLANNING (LISTED BUILDING CONSENT AND CONSERVATION AREAS) ACT 1990	32
5.3	NATIONAL PLANNING POLICY FRAMEWORK (NPPF)	32
5.4	LOCAL DEVELOPMENT STRATEGY FOR WEALDEN DISTRICT COUNCIL	34
6	IMPACT ASSESSMENT	38

6.2	PROPOSALS	38
6.3	IMPLICATIONS OF THE PROPOSAL	39
6.4	SUMMARY	41
7	CONCLUSION	43

1 INTRODUCTION

1.1 PROJECT BACKGROUND

- 1.1.1. Fuller Long has been commissioned by Wealden District Council to produce a Heritage Statement (HS) in advance of a proposed development on Land at Knights Farm East, Lower Dicker, Hailsham. The subject site is located within the administrative boundary of Wealden District Council (WDC), in East Sussex.
- 1.1.2. The proposed development is for the creation of a Community Sports Hub on the site at the above address.
- 1.1.3. This Heritage Statement has been produced to support an application for planning permission for the above proposed development, as the subject site is located within the vicinity of a number of designated and potentially non-designated heritage assets. This report will identify and assess the potential for built heritage assets to be affected by the proposed development through a change in the contribution of the subject site to the significance of heritage assets and their settings.
- 1.1.4. This report will identify built heritage assets with a potential to be affected by the proposed scheme. It will then provide a proportionate assessment of the heritage significance of the assets identified as having a potential to be impacted by the proposed development. Professional expert opinion has been used to assess heritage significance, based on historic, archaeological, architectural or artistic interest, and the heritage values set out in Historic England's Conservation Principles (2008). The report provides a heritage impact assessment of the contribution of setting to the significance of designated assets within a defined study area in line with The Planning (Listed Buildings and Conservation Areas) Act 1990, The National Planning Policy Framework (2021) (NPPF) and Local Plan policies. This Heritage Statement does not address buried heritage assets (archaeological remains). Archaeological implications for the subject site are assessed in a separate report by Tetra Tech, August 2021, Land East of Knight's Farm, Hailsham: Archaeological and Heritage Desk-Based Assessment.
- 1.1.5. The proposed scheme has benefited from pre-application assessment work and engagement with Officers from Wealden District Council. This has included a desk-based heritage appraisal of the schemes likely impact on above ground heritage assets and acoustic mitigation. Officer comments and advice have then been used to inform the scheme design for submission.

1.2 AIMS AND OBJECTIVES

- 1.2.1. The aim of this Heritage Statement is to assess the significance of the subject site with specific reference to its contribution to the setting of heritage assets within its immediate environs where they have a potential to be affected by change within the subject site. This assessment will then be used to identify any potential for harm that may result from a proposed scheme and identify opportunities for enhancement or mitigation through design. The site itself is not a designated, or non-designated, heritage asset. The aim is achieved through six objectives:
-

- identify the presence of any known or potential heritage asset that may be affected by the proposals;
- describe the significance of such assets, in accordance with the National Planning Policy Framework (NPPF), taking into account factors which may have compromised an asset's survival or significance;
- determine the contribution to which setting makes to the significance of any sensitive (i.e. designated) heritage assets;
- assess the contribution that the site makes to the identified assets
- assess the potential effects of a proposed development scheme upon the significance of identified heritage assets with a potential to be influenced by a development within the subject site. This will include assessing how designated heritage assets are understood and experienced through changes to their setting that might result from proposed development, and
- Identify opportunities for the proposed scheme to enhance the significance of heritage assets and or mitigation where potential for harm is identified.

2 METHODOLOGY AND SOURCES

- 2.1.1. This HS has been carried out in accordance with the requirements of the National Planning Policy Framework (NPPF) (MHCLG 2021) and to standards and guidance produced by Historic England (HE), the Institute of Historic Buildings Conservation (IHBC), and the Chartered Institute for Archaeologists (CIfA). The British Standard: Guide to the Conservation of Historic Buildings 7913:2013 (BS 2013) has also been used to inform this HS.
- 2.1.2. This report has been based upon the following principal sources:
- The Planning (Listed Building and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF), 2021
 - Planning Practice Guidance (PPG)
 - Conservation principles, policies and guidance for the sustainable management of the historic environment, Historic England, April 2008
 - Historic Environment Good Practice Advice in Planning, Historic England, March 2015:
 - Planning Note 1: The Historic Environment in Local Plans
 - Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment
 - Planning Note 3: The Setting of Heritage Assets
 - Hellingly Neighbourhood Plan
- 2.1.3. The table below provides a summary of the key data sources used to inform the production of this HA. Occasionally there may be reference to assets beyond the study site or surrounding study area, where appropriate, e.g., where such assets are particularly significant and/or where they contribute to current understanding of the historic environment.
- 2.1.4. Table 1 - Summary of data sources

Source	Data	Comment
Historic England	National Heritage List (NHL) with information on statutorily designated heritage assets	Statutory designations (scheduled monuments; statutorily listed buildings; registered parks and gardens; historic battlefields) can provide a significant constraint to development.
Local Planning Authority	Conservation area supporting documents	An area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

Ordnance Survey mapping	Ordnance Survey maps from the 1st edition (1860–70s) to present day.	Provides an indication of the development of settlements/ landscape through time as well as the possible date of any buildings on the site. Provides a good indication of past land use, the potential for archaeology and impacts which may have compromised archaeological survival.
Internet	Web-published local history; Archaeological Data Service	Many key documentary sources, such as the Victoria County History, the Survey of London, and local and specialist studies are now published on the web and can be used to inform the archaeological and historical background. The Archaeological Data Service includes an archive of digital fieldwork reports. Local History Societies online published material.
The client	Planning data	Drawings of the existing and proposed.

2.2 ASSESSING HERITAGE SIGNIFICANCE

- 2.2.1. Significance is a concept that forms the foundation of conservation philosophy. The NPPF states that heritage 'assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'
- 2.2.2. A heritage asset is defined in the NPPF (Annex 2) as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (i.e thought local listing).'
- 2.2.3. The framework (NPPF Annex 2) goes onto define significance as, 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.'
- 2.2.4. Following Historic England's Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment (2008), significance can commonly be derived from five areas:
 - **Evidential Value:** this derives from the potential of a place to yield evidence about past human activity. The evidential value of a place is largely derived from physical remains, these remains maybe archaeological (below ground), embedded in upstanding remains within the landscape or within built heritage (above ground remains). Evidential value is closely associated with the

survival and nature of an asset's physical attributes where they can provide an understanding and appreciation of the original or historical use and evolution of an asset. At a wider scale the survival of a historic building and patterns of development can also feed into an understanding of local building traditions, typologies and sociocultural developments over time or particular periods.

- **Historical Value:** this derives from the ways in which past people, events and aspects of life can be connected through a place to the present. It tends to be illustrative or associative. In the case of the illustrative value of a heritage asset this is principally derived from how its age, form, fabric and presentation contributes to illustrating the story of past events, people and aspects of life – or social and economic conditions illustrative of a particular point in time. The associative value of a heritage asset is principally derived from how its physical attributes can help bridge the gap in time and understanding between events, movements or people, formally associated with a place.
- **Aesthetic Value:** derives from the ways in which people draw sensory and intellectual stimulation from a place. Aesthetic value may be architectural or artistic and derived from a contemporary appreciation of an asset's aesthetics. Architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is derived from the use of human imagination and skill to convey meaning through all forms of creative expression.
- **Communal Value:** this derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. Communal values are closely bound up with historical value but tend to have additional and specific aspects that establish a more direct relationship between a group or groups both in the past and or present.
- **Setting:** the setting of a heritage asset is defined in the NPPF 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.' Setting is not an asset in itself.

2.3 DEFINITION OF HARM

- 2.3.1. Current guidance by Historic England is that 'change' does not equate to 'harm'. The NPPF effectively distinguishes between two degrees of harm to heritage assets – substantial and less than substantial. Paragraph 201 of the NPPF states that:
- 2.3.2. 'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...'

- 2.3.3. Paragraph 202 of the NPPF states that:
- 2.3.4. '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 proposals...'
- 2.3.5. In determining the effects of the Proposed Scheme this heritage statement is cognisant of case law. Including the below:
- Flag Station, Mansel Lacy, Herefordshire [22/09/2015] Case Number EWHC 2688
- 2.3.6. This ruling has emphasised the primacy of the 1990 Planning Act – and the fact that it is up to the decision makers in the planning system to 'have special regard to the desirability of preserving the [listed] building or its setting'. As stated by HH Judge David Cooke in a judgment of 22 September 2015 regarding the impact on the setting of a listed building:
- 2.3.7. 'It is still plainly the case that it is for the decision taker to assess the nature and degree of harm caused, and in the case of harm to setting rather than directly to a listed building itself, the degree to which the impact on the setting affects the reasons why it is listed.'
- PALMER Appellant and Herefordshire Council and ANR [04/11/16] Case No: C1/2015/3383
- 2.3.8. The judgment was agreed by Lord Justice Lewison at the Court of Appeal, who stated that:
- 2.3.9. 'It is also clear as a matter both of law and planning policy that harm (if it exists) is to be measured against both the scale of the harm and the significance of the heritage asset. Although the statutory duty requires special regard to be paid to the desirability of not harming the setting of a listed building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.'
- 2.3.10. In line with the above, this HS will make an assessment of the significance of the heritage asset(s) subject to a potential effect due to the proposed scheme. This assessment will identify and set out the principal heritage values that contribute to the significance of the subject property/ site, and, where relevant, heritage assets beyond the subject property/ site.
- 2.3.11. The relative contribution of the heritage values to the significance of the asset(s) are graded as either high, medium, low, neutral or detrimental.

3 THE SUBJECT SITE

3.1 SITE LOCATION AND CONTEXT

- 3.1.1. The subject site is located on land at Knights Farm East, Hailsham, between Lower Horsebridge and Lower Dicker. The site is approximately 8.21 hectares in area and centred on grid reference TQ 57166 11590. The subject site effectively occupies a single large field currently used as pastureland. The topography ranges from approximately 23m above Ordnance Datum (aOD) to 15m aOD, with a fall in level towards the north and east along the line of a small stream. The stream effectively forms the north-eastern and eastern boundary to the subject site, with fields beyond. The north-western and western boundary to the site is formed by the A267 (New North Street), the site then extends east and south towards its south-eastern boundary with the A271, Lower Horsebridge Road. Immediately to the south the boundary of the subject site is formed by two small fields and a collection of buildings and their gardens located along the northern side of the A271, Lower Horsebridge Road. Additional development is located further north and east along the A271, Lower Horsebridge Road. This is largely residential and extends to both sides of Horsebridge Road.
- 3.1.2. The site is located in a predominantly rural area characterised by agricultural land with tree and hedge planting to its boundaries. Additional tree planting is located within the southern portion of the site.



Figure 1: The Location of the Subject Site

3.2 HISTORICAL CONTEXT

- 3.2.1. This section provides an overview of the subject site and the historical background relevant to an understanding of the site, its location and its historic context and interest. This is based on accessible records. It is not the purpose of this document to create a detailed historical narrative of the area, but to provide an assessment of the subject site and the site's historical development and heritage potential in accordance with the NPPF.

BRIEF OVERVIEW

- 3.2.2. The subject site is understood to have never been subject to development and appears to have been located outside of any know historic settlement. As a result, it has either formed part of the wider landscape or been subject to agricultural use.

3.2.3. Map Progression

The following section will review the subject site and its evolution over time based on available map-based evidence. The approximate position of the subject site is identified outlined in red on the following maps.

1840 Tithe Map

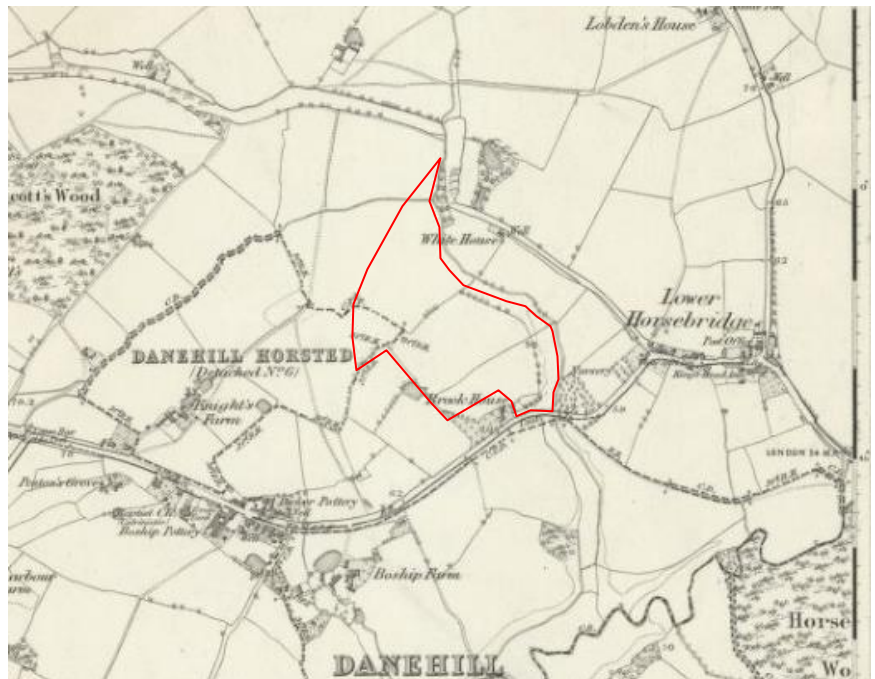
The 1840 tithe map records the subject site occupied by 4 principal fields. These include three fields recorded as being owned by the same landowner, a Augustus Elliott Fuller Esquire, and occupied by one Thomas Goodwin. Plot 1343 is named Mouse House Meadow. Plot 1347 is named Five Acres and is recorded as arable, and Plot 1345, is a meadow. To the north-west of the above fields is Plot 1354. This is recorded as being in the ownership of James Baber, and occupied by William Huggett. The field is named Severn Acres and is recorded as arable.

Two properties are recorded in the near vicinity of the subject site. To the south, two plots are identified as occupied by Henry Sherwood. Plot 1341 is a cottage & garden, and Plot 1342 is a barn and yard. To the north within plot 1348 two tenements and garden are recorded with the landowner identified as William Humphreys and the occupier as William Bennett.



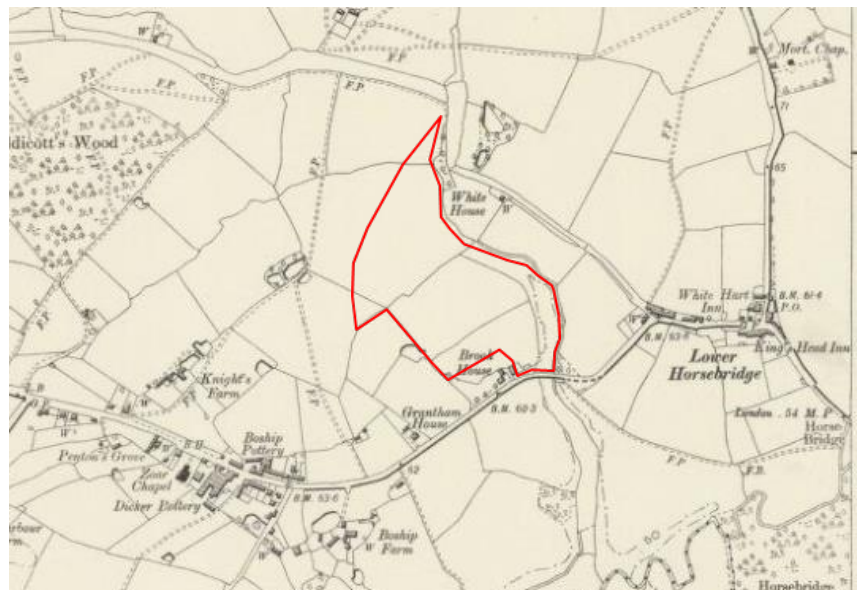
1878 Ordnance Survey Map

The 1878 OS map records little change to the subject site. However, to the south of the subject site the property recorded on the tithe map (Plots 1341 & 1342) appear to have been subject to extension and is now clearly named as Brook House. Part of an adjacent field to the west of the garden plot also appears to have been incorporated into the grounds of this property for use as an orchard. To the north of the subject site Plot 1348, is now recorded as the White House. No further development is recorded in the immediate vicinity of the subject site.



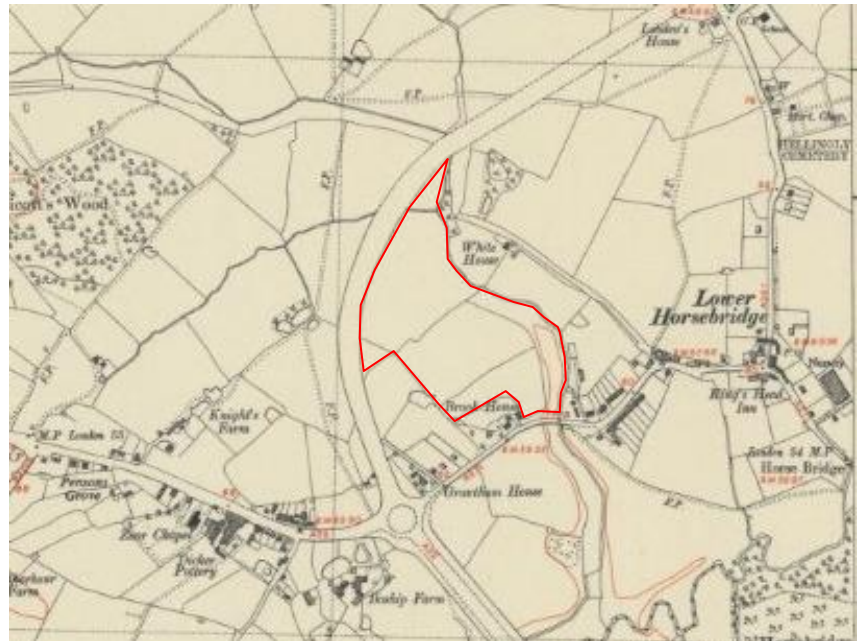
1899 Ordnance Survey Map

The 1899 OS map records the subject site as unchanged. Beyond the subject site little development is recorded, however, to the south-west of the subject site to the north of the road from Lower Dicker to Lower Horsebridge a new property is recorded – Grantham House. This is a large rectangular house set back from the road with an outbuilding to its rear. In addition, a rectilinear unroofed structure is recorded to the immediate east of Brook House.



1951 Ordnance Survey Map

The 1951 OS map is the first map to record structural change to the subject site and adjacent landscape though the construction of the A22. This map records the route of the A22 (Hailsham bypass) running north-west up to a newly created roundabout (the Bishop Roundabout) which joins the existing Lower Dicker Road and A271 to Lower Horsebridge, before extending north and north-east in a new section of road (New North Street) through previously undeveloped fields. These include the north-western fields that now form the north-western boundary to the subject site. Beyond this the subject site is recorded as largely unchanged. Further development is, however, recorded in close proximity the subject site. Most notably along the line of the A271 in Lower Horsebridge and to the east of Grantham House. Both Bishop's Farm and Knights Farm are now separated by the A22 from the subject site. Brook House is also recorded with an additional section of land carved out of the former adjacent field.



2022 Aerial Photograph (Google Earth)

The subject site has remained largely unchanged until the present day with the exception of the loss of historic field boundaries which have resulted in the site effectively now forming one expansive field with isolated groups of tree planting surviving along former sections of field boundary.

The additional land recorded encompassing Brook House on the 1951 OS has now become part of the formal garden to Brook House, with the garden now extending further north and a formal boundary established. Additional housing has also been built to the west and north of Grantham House.



4 STATEMENT OF SIGNIFICANCE

4.1 SUMMARY OF HERITAGE ASSETS

- 4.1.1. The following section is intended to identify any heritage assets (within 1km of the subject site boundary) that have a potential to be affected by the proposed scheme – either directly through a material change to the asset(s) or through a change to the contribution of setting to an asset(s) significance or the character of an area. It will also set out the principal heritage values that contribute to the significance of the subject site as set out in section 2 above.
- 4.1.2. This HS has been informed by a 1 km search area beyond the subject site. The size of the search area has been determined based on the prevailing circumstances within the adjacent area, the nature of the proposed scheme and professional judgment, as suitable for determining the potential impact of the proposed scheme on designated heritage assets. It is therefore consistent with paragraph 194 of the NPPF, in providing a level of detail proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

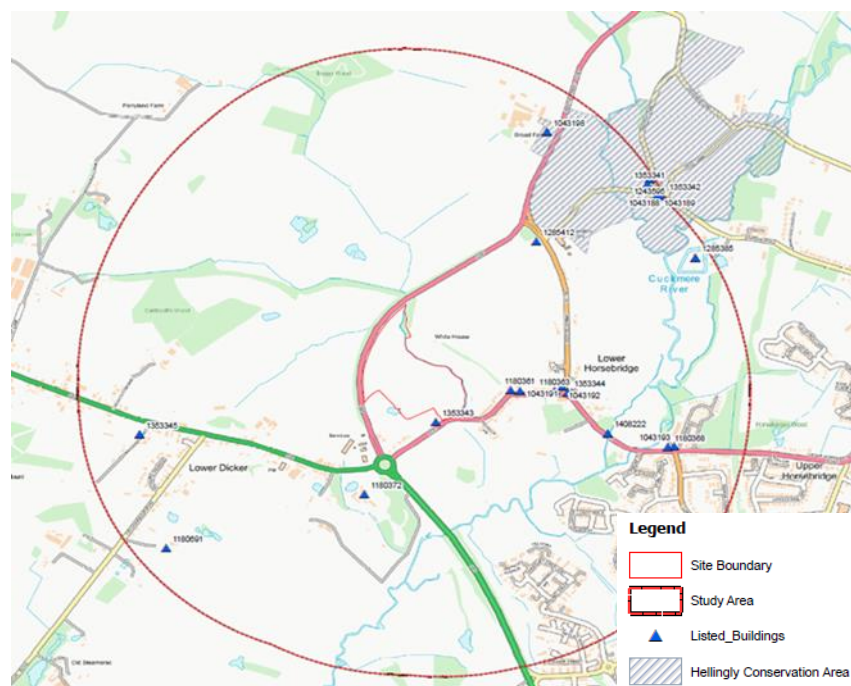


Figure 2. Location of Designated Heritage Assets within the 1km Search Area

THE SUBJECT SITE

- 4.1.3. The subject site is not subject to a statutory (heritage) designation, nor does it contain any designated heritage assets.
- 4.1.4. The subject site has been in agricultural use for the majority of its recorded history. As a result, its heritage interest is largely derived from its form and function in relation to historic and contemporary

agricultural practices. Most notably this includes associated historic land divisions, former agricultural uses, water management practices and historic planting. The land that composed the subject site has, however, also been subject to notable change during the 20th century. This has included its truncation for the construction of the A267, the removal, or partial removal, of historic field boundaries, housing development to its south and east and changes in agricultural practice. As a result the significance of the subject site is limited, and largely derived from its general contextual interest as an area of land that has been subject to historical agricultural land use and management practices.



Figure 3. View southeast over the site from A267



Figure 4. View northeast to site entrance off A267



Figure 5. View northeast over the site



Figure 6. View east over the site



Figure 7. View east from the Site towards Lower Horsebridge



Figure 8. View southeast from the Site towards Lower Horsebridge

HERITAGE ASSETS BEYOND THE SUBJECT SITE

- 4.1.5. There are no World Heritage Sites, Registered Battlefields, Registered Parks and Gardens or Scheduled Monuments within the search area beyond the subject site.
- 4.1.6. Within the 1km search area 19 designated heritage assets are recorded. These include 18 listed buildings and one conservation area. These assets are:

Grade I Listed Buildings:

- Horselunges Manor (NHLE 1285385), located c950m to the north-east of the site.
- The parish church of St. Peter and Paul (NHLE 1043186), Hellingly, located c1km to the north-east of the site.

Grade II* Listed Buildings:

- Broad Far (NHLE 1043198), Hellingly, located c1km north of the site.

Grade II Listed Buildings:

- Brook House (1353343) located c90m to the south, and 15m to the west, of the site.
- The Boship Farm Hotel (NHLE 1180372), Lower Dicker, c350m south-west of the site.
- Hatches Farmhouse (NHLE 1180691), Lower Dicker, c1km south-west of the site.
- The Fair Place (NHLE 1353345), Lower Dicker, c750m west of the site.
- Lobdens (NHLE 1285412), c710m north-east of the site.
- Busbridge House (NHLE 1180361), Lower Horsebridge, c175m east of the site.
- Croft Cottage (NHLE 1043191), Lower Horsebridge, c165m east of the site.
- The Cottage (NHLE 1180363), Lower Horsebridge, c320m east of the site.

- The Spar Stores (NHLE 1043192), Lower Horsebridge, c350m east of the site.
- Olive House (NHLE 1353344), Lower Horsebridge, c360m east of the site.
- The Priest House (NHLE 1043188), Hellingly, c980m to the north-east of the site.
- A K6 red telephone box (NHLE 1243595), Hellingly, c1km to the north-east of the site.
- Devey's Cottage (NHLE 1043189), Hellingly, c985m to the north-east of the site.
- Littlegates (NHLE 1353342), Hellingly, c995m to the north-east of the site.
- Sunnyholme (NHLE 1353341), Hellingly, c990m to the north-east of the site.

Conservation Areas:

- Hellingly Conservation Area, c600m to the north-east of the site

Locally listed buildings identified in LHA1 and Appendix 2 of the Hellingly Neighbourhood Plan:

- Kings Head; Public House White Hart; Public House; Cherries; Hope Cottage; Old Sweetshop Cottage; Zoar Chapel; Zoar Strict Baptist Chapel; Chapel Cottage; Chapel House; Potters; Hawthorn Cottage; Dyson Service Centre; Verdun House; 1-4 Boship Cottages; Pond Cottage; Bell cottage; Globe Cottage; Brook Cottage; Station House; Hellingly Primary School; and Hellingly Village Hall.

Positive contributors identified in Appendix 3 of the Hellingly Neighbourhood Plan:

- Firs Cottage; St Martins Cottage; Aquarius Cottage; Holly Cottage; 1 & 2 Albion Cottages; 1 & 2 Box Tree Cottages; Applebee Cottage; Jubilee Cottage; Thompsons Cottage; Anyers; Vienna Beaulieu Cottage; Toronto Cottage; Providence; Timberdown; 1 & 2 Yew Tree Cottages; Laurel Hurst 1-7; The Croft; Glengora; Danbury; Rousden; Farley House; Broadlands; Walden; Shinston; Winton; The White House; and Rose Cottage.

- 4.1.7. The majority of designated assets identified above are located within Hellingly, Lower Horesbridge or Lower Dicker. As a result, they are separated from the subject site both by distance and/or intervening built form, landscape features and the course of either the A22, A267 or A271.
- 4.1.8. Following Step 1 of the Historic England settings guidance, the majority of the identified heritage assets have been scoped out of further assessment as they will not be materially affected by the proposed development, nor will they be appreciably affected by a material change to the contribution of setting to their significance. This is based on a number of factors, including: the nature of the proposed scheme, the distance of the assets from the subject site; the relative location and topographic position between the assets and the subject site; lack of intervisibility or historic association; the orientation, nature, extent and scale of intervening built form, vegetation and landscape features; and, the nature and scale of the proposed changes within the subject site having no material effect on the values that contribute to the heritage significance of the assets identified.

- 4.1.9. Of the identified designated heritage assets within the search area, only one is considered to have any potential to be affected by the proposed scheme as a result of a change to its setting. This is:
- Brook House, a grade II listed building (1353343), located c90m south and c15m to the west of the site.
- 4.1.10. In addition to the above designated heritage assets, two 'positive contributors' have been identified within relatively close proximity to the subject site. These are:
- 4.1.11. Policy LHA1 of the Hellingly Neighbourhood Plan (NP) includes a list of buildings worthy of adding to the local list (NDHAs). None of the buildings within the site's vicinity have been identified as being locally listed, however, the NP states that development proposals will also be expected to have regard to positive contributors. Appendix 3 of the NDP lists '*Other non-designated buildings identified in the Village Character Assessments (Topic Paper 7) as making a positive contribution to the character and appearance of the four main settlements in Hellingly Parish.*' Both Grantham House and the White House, listed below, are recorded on pre-20 century historic mapping. As a result, they will be assessed further in line with the requirements of the NPPF.
- Grantham House, located c150m to the south-west of the site, and
 - The White House, located c85m to the north of the site (A 271 North Side).
- 4.1.12. Those assets with a potential to be subject to change will be considered in more detail below.

4.2 ASSET DESCRIPTION: BROOK HOUSE

4.2.1. Designation: Grade: II Listed Buildings.

4.2.2. List Entry Number: 1353343.



Figure 9. Location of Brook House (1353343) and the subject site

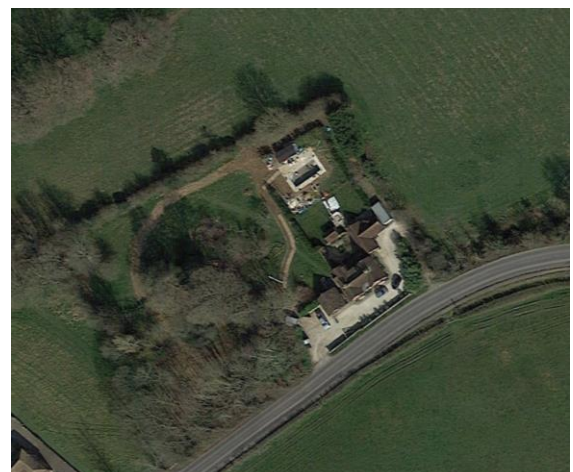


Figure 10. Aerial View of Brook House

- 4.2.3. Brook House was first statutorily listed on the 12-Aug-1981. The asset is located approximately 45m to the southwestern boundary of the site and 15m to the west of the site's southernmost boundary on the northern side of the A271.
- 4.2.4. Brook House is a two storey property based on a half-H-shaped plan and dates to circa 1830. Its principal elevation faces south over the adjacent A271. This elevation is architecturally the most noteworthy and public facing. It is composed of three bays, a recessed central entrance bay formed of a later infilled porch at ground floor level with central timber door and vertical lights to each side and a casement at first floor level below the eaves. This bay is flanked by two projecting gabled wings with scalloped bargeboards. Each wing has a central casement to first floor and roofed bay window to ground floor. The ground floor is of red brick with grey headers, while the first floor is tile-hung above which is a tiled roof.



Figure 11. View north-north-west to the front elevation



Figure 12. View north-west to Brook House

- 4.2.5. Brook House has been subject to direct extension and alteration. Most notably this includes an extension to its rear and on its north-east side. In addition to alterations to the property itself the garden plot has also been subject to development. This includes a one and half storey garage block to the immediate southwest of the house and further development towards the northern boundary to the rear of the property.
- 4.2.6. The setting of Brook House today is largely derived from its garden plot and its physical and visual relationship with the adjacent A271 road. The garden plot itself has been extended historically, both to the rear (north) and to the north and west. As a result, the plot is effectively divided into two. The western portion is in an area of former Orchard now effectively wooded, and to the east a more formal area focused on the house, with lawn and outbuildings to the rear and hardstanding to the front with boundary walling and fencing to the road. The whole plot is bounded by hedging. Beyond this the wider context within which the house is located is formed by fields to the north, east and south beyond the A271. The most notable views that help establish an understanding and appreciation of the house are

those that fall on its front elevation – this is architecturally the most noteworthy and least altered, and also establishes a positive relationship with the adjacent road. Views here are partial and largely restricted as approached along the course of the A271 from both west and east, until almost directly opposite the property. As a result, the most notable view is perhaps that from the adjacent fields to the south and south-east. These views see the property set on raised ground beyond fields and hedging with tree planting rising up to either side and to the rear (see Figure 12).



Figure 13. View north-east to Brook House



Figure 14. View west to Brook House



Figure 15. View south-west to Brook House



Figure 16. View south to Brook House

SIGNIFICANCE

Evidential Value

- 4.2.7. As a general rule, the evidential value of a building is closely associated with the age, survival and quality of its 'physical' attributes. These attributes include an assets plan form, the size and arrangement of elements that make up an asset; the architectural treatments employed in the construction and decoration of the building; the material palette used, and the relationship between the asset, other buildings and associated roads and spaces. The contribution of these attributes

increases where they make a meaningful contribution to an understanding and appreciation of the original 'intention', practice and skill associated with the construction and original use of an asset, and where they evidence the nature of subsequent 'change' over the course of an assets evolution where they in turn contribute to an asset's significance. At a detailed level these physical attributes can evidence the period of construction, original use and adaptation over time, as well as changes in function, socioeconomic status and fashion. At a wider scale the survival of a historic building, and patterns of development, can feed into an understanding of local vernacular building traditions, typologies and socioeconomic and cultural developments over time or within particular periods.

- 4.2.8. The evidential value of this asset is derived from its 'physical' attributes. Those attributes that make a distinct and clearly recognisable contribution to its evidential value include: its plan form, as a detached house; the nature of its construction, including its use of materials; the architectural treatments employed to the facades and its internal arrangement and the survival of historic fixtures and fittings.
- 4.2.9. The above act as a direct 'physical' and tangible link back to the early 19th century, and evidence the building's point of origin as well as its intended use and the socioeconomic and cultural influences that have shaped its evolution over time. In this context the most notable attributes that convey evidential value to this asset are its principal road facing elevation, and the degree of retention of its original plan form. The survival of original fixtures and fittings would also add to its evidential value.
- 4.2.10. The asset, as an example of a building built in c1830s, relates to a period of relatively recent history that is well understood, researched and represented by surviving examples. As a result, the asset has limited evidential value. In addition, the building has been subject to notable changes over time. This includes direct physical effects though extension and alteration, as well as change to its setting through alterations in its historic plot and the construction of detached buildings and structures within its garden.
- 4.2.11. Based on the above, the evidential value of this asset is considered to be low. This value is weighted towards its age and fabric, as a surviving example of an early 19th century detached house, and the architectural and decorative quality of its principal road facing elevation.

Historical Value

- 4.2.12. The historical value of a building or place derives from the ways in which past people, events and aspects of life can be connected through a place to the present. It tends to be illustrative or associative. Places with illustrative value will normally also have evidential value. The key distinguisher is the level of importance that can be attributed. For example, a 'historic building that is one of many similar examples may provide little unique evidence about the past'.
- 4.2.13. The importance of a buildings illustrative value is derived from the degree to which it 'aids interpretation of the past through making connections with, and providing insights into, past communities and their activities through shared experience of a place, and it 'tends to be greater if they incorporate the first, or only surviving, example of an innovation of consequence, whether related to design, technology or social organisation.'

- 4.2.14. As with evidential value the illustrative value of a heritage asset is principally derived from its physical form and appearance and how these attributes contribute to the ability to illustrate the story of past events, people and aspects of life – or social and economic conditions illustrative of a particular point in time.
- 4.2.15. In contrast the associative value of a heritage asset is principally derived from how a building or place can help bridge the gap in time and understanding between events, movements or people, formally associated with that building or place. Associative values can be ascribed to a heritage asset where they provide insight into the personality of an important historical figure, or demonstrate the political or cultural affiliations of a figure, group of note, movement or event. The degree of historical value that can be ascribed to a building or place is dependent on the extent to which fabric or landscapes can make a direct 'experiential' connection to past people and movements of importance. It is not, however, as easily diminished by change or partial replacement as evidential value.
- 4.2.16. This asset has illustrative value principally derived from it being an example of a modest Early Victorian detached house. This value is limited by the degree of subsequent change and alteration.
- 4.2.17. The asset is not known to have any direct or tangible links to notable historical events, movements, groups or individuals.
- 4.2.18. The historical value of this asset is, therefore, considered to be low, and principally derived from its general age and association with early 19th century development along the road between Lower Dicker and Lower Horsebridge.

Aesthetic Value

- 4.2.19. An asset's aesthetic value is derived from a contemporary appreciation of an asset's architectural and artistic interest. Architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is derived from the use of human imagination and skill to convey meaning through all forms of creative expression. It can be the result of the 'conscious design' of a building or place, 'including artistic endeavour', the result of the 'seemingly fortuitous outcome of the way in which a place has evolved and been used over time'. 'Strong indicators of importance are quality of design and execution, and innovation, particularly if influential'.
- 4.2.20. As indicated above, the degree to which aesthetic value can be attributed to a building or place is in part dependant on conscious design, the 'intent', and how well that intent is executed and whether it is innovative or influential in its delivery. The extent to which aesthetic values can be attributed to a building or place is also not dependant on it remaining 'unchanged', indeed, as above the aesthetic value of a building or place can be as much a result of fortuitous change and evolution over time – a continuing process, as it can initial intent.
- 4.2.21. Brook House is a good example of an early 19th century Victorian detached house, built to a half-H-shaped plan form with symmetrical proportions and two gabled roofs projecting forward of the rear range with decorative brick stacks. The bay windows to both wings, and the use of decorative brickwork

to ground floor and scalloped tile hanging at first floor add visual interest to the principal elevation. This is further enhanced by the use of decorative bargeboards to the gable ends, and the steep, well proportioned pitch of the tiled roof.

4.2.22. This arrangement produces an elegant principal façade. Full views of the side and rear elevations were not possible but the house appears to have been subject to alteration and extension both to the rear and sides that have undermined the original composition and aesthetic value of the main house. To the front the asset is dominated by vehicle access and parking set behind boundary walling and fencing which provide a limited contribution to the aesthetic value of the main house. To the rear the gardens appear to be functional and dominated by later out buildings. As a result, the most notable contribution to the aesthetic value of the asset is derived from the adjacent woodland and boundary planting, which soften its immediate surroundings and provide a more rustic situation in which to appreciate the aesthetic quality of the main house. Views towards the main house are principally derived from the adjacent road and fields to the south. These also contribute to an aesthetic appreciation of the main house and an understanding and appreciation of its immediate garden setting. Views from the north, further west and east, in comparison are limited and largely intercepted by intermediate planting.

4.2.23. The aesthetic value of this asset is considered to be moderate and derived principally from the scale, articulation and material palette of the original house and the architectural and aesthetic treatment of its principal elevation, with the asset's associated garden and tree planting also contributing to its aesthetic appeal.

Communal Value

4.2.24. Communal value derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. Communal values encompass commemorative, symbolic, social and spiritual values that can be derived from or attributed to a building or place. 'They tend to gain value through the resonance of past events in the present, providing reference points for a community's identity or sense of itself.

4.2.25. The building has communal value only in so far as it has been a familiar local landmark in the area since it was built in the 1830s and has featured in the day to day lives of those who live, work or pass through the area. Its continuous use as a private dwelling means that it has no communal value.

Setting

4.2.26. The contribution of setting to the significance of this asset is principally derived from the interrelationship between the house, ancillary buildings and its historic plot – notably its set back position from the road and the visual and aesthetic interest of its garden, associated planting and boundary treatments. The asset's historic, spatial and visual relationship to the A271 also contributes to an appreciation and understating of its general significance.

4.2.27. Beyond this, the landscape setting of the asset is dominated by fields to the north and south. These provide a general rural backdrop and understanding of the property's early, more isolated position. However, the expansion of Horsebridge and housing to the west, alongside the construction of the

A267 bypass and associated service development, has resulted in clear and apparent change to the wider rural character of the area. The current boundary treatment to the house's plot results in good screening to the north, west and to a lesser extent the east. However, within this context modern additions adjacent to the house, within its garden plot, to the north, west and northeast, have eroded its historic setting within its own plot and diluted its visual relationship to the fields beyond to the north. As a result, the most noteworthy views are derived from the house looking out over its front garden, the adjacent road and the fields immediately opposite and vice versa. Oblique views in the approach to Brook House are largely restricted until the south boundary of the site is reached. Within these views trees and hedges form a notable component of the asset's setting and help reinforce its general rural situation and separation from wider development.

4.2.28. Based on the above, the contribution of setting to the significance of this asset is considered to be moderate and weighted towards its historic garden plot, associated planting (notably trees to the west and north), and its relationship to the A271 and fields beyond to the south.

4.2.29. **Summary**

4.2.30. In conclusion, this asset has been subject to change and alteration, both to its original historic plot and additional development adjacent to it in its garden plot. As a result its significance is weighted towards the survival of the main house, its plan form and the architectural treatment displayed on its principal south facing elevation as an early 19th century house. The asset's immediate setting, most notably its position within its garden plot, relationship to the A271, and associated tree planting adds to the ability to understand and appreciate this asset.

4.2.31. Given the above, the significance of Brook House as a whole is considered to be medium.

4.3 ASSET DESCRIPTION: GRANTHAM HOUSE

4.3.1. Designation: Positive Contributor



Figure 17. Aerial view of Grantham House (site boundary not in view)



Figure 18. View northeast to Grantham House

Description (No access possible. Description based on limited views)

- 4.3.2. Grantham House is located approximately 110m to the south-west of the site's south westernmost boundary on the northern side of the A271. It is understood that Wealden District Council currently has no local list. The NPPF makes provision for an LPA to identify non-designated heritage assets (NDHA) through planning. Due to its location and date this asset is considered a positive contributor and will be given further consideration on this basis.
- 4.3.3. Grantham House is a two storey property based on a rectangular plan, composed of a west-east aligned front range and two north-south aligned rear ranges. The property appears to date to the 1890s, with its principal elevation facing south over an area of garden to its front and the adjacent A271. This elevation is its architecturally most noteworthy and public facing. It is composed of three bays with a central entrance flanked by two single storey bay windows, above which are set three windows to first floor, all set below the eaves to a gabled roof with brick stacks to each gable end. The building is of red / orange brick with a slate roof.
- 4.3.4. The setting of this asset has seen substantial change over the course of its history. Most notably this has included the construction of later housing to its immediate east, north and west; as well as the creation of the A267 roundabout, dual carriageway and service area. As a result, the contribution of setting to the significance of this asset is largely derived from its historic plot and garden.

SIGNIFICANCE

Evidential Value

- 4.3.5. The evidential value of Grantham House is derived from its age, plan form and the architectural treatment to its principal south facing elevation, as an example of a late 19th century detached house. As a modest example of a well understood and well represented house type from a major period of relatively recent development the evidential value of Grantham House is deemed to be negligible to low.

Historical Value

- 4.3.6. Grantham House is not known to have any meaningful associative historical value. Its illustrative value relates to the style of architecture being commissioned for a modest rural house towards the end of the Victorian period. As above, Grantham House is an example of a well understood and well represented house type from a major period of relatively recent development.
- 4.3.7. The overall historical value of this asset is therefore considered to be negligible to low.

Aesthetic Value

- 4.3.8. Grantham House is a modest example of a late Victorian House, built to symmetrical proportions. It is three bays wide with two large single storey bay windows to the ground floor, a central door and three 2/2 sash windows to the first floor. The general composition of the building is modest, simple, and well proportioned, with limited architectural detailing. As a result the aesthetic value of this asset is largely derived from its plan form, modest scale and the symmetry of its principle front facing range. The central door, arrangement of fenestration, shallow roof pitch and chimney stacks being most notable, and supported by the use of traditional materials. The front garden helps soften the relationship between house and road, while trees to the background also contribute to its general aesthetic.
- 4.3.9. The aesthetic value of the building is considered to be low to moderate.

Communal Value

- 4.3.10. The building has been in continuous use as a private dwelling. The communal value of this asset is therefore considered to be none.

Setting

- 4.3.11. The contribution of setting to the significance of this asset is principally derived from the interrelationship between the house, ancillary buildings and its historic plot – notably its set back position from the road and the limited visual and aesthetic interest of its garden, associated planting and boundary treatments. The asset's historic, spatial and visual relationship to the A271 also contributes to an appreciation and understating of its general significance.
- 4.3.12. Beyond this the asset's historic landscape setting has been subject to notable change and is now dominated by adjacent housing and associated rear and front garden plots to the east, north and west. With fields to the south in agricultural production.
- 4.3.13. Based on the above, the contribution of setting to the significance of this asset is considered to be low and weighted towards its historic garden plot, associated planting (notably trees to the north), and its relationship to the A271 and fields beyond to the south.

Summary

- 4.3.14. In conclusion, this asset has been subject to change and alteration, both to its original historic plot and additional development to the immediate west, north and east. As a result, its significance is weighted towards the survival of the main house, its plan form and the architectural treatment displayed on its principal south facing elevation as a late 19th century house. The asset's immediate setting, most

notably its position within its garden plot, relationship to the A271, and associated tree planting adds to the ability to understand and appreciate this asset.

- 4.3.15. Given the above, the significance of Grantham House as a whole is considered to be low.

ASSET DESCRIPTION: THE WHITE HOUSE

- 4.3.16. Designation: Positive Contributor

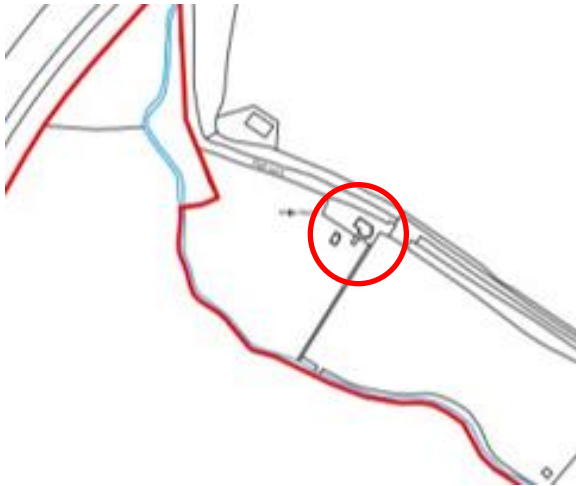


Figure 19. Site northern boundary & location of White House



Figure 20. Aerial view of the White House

Description (No access possible)

- 4.3.17. The White House is located approximately 85m to the north of the site's northern boundary. Access is via a trackway off the A271 in Horsebridge to the east. This property is identified as a positive contributor. No public access to this property was possible and views were distant and partial. As a result, little can be confirmed in terms of detail regarding this property.
- 4.3.18. It is possible to conclude that a building within this location was recorded on the 1840 tithe map as plot 1348. The apportionment records the landowner as William Humphreys and the occupier as William Bennett, with the plot described as two tenements and garden. The adjacent field to the south is recorded as plot 1349, a meadow, owned and occupied by William Humphreys. The building is later recorded on the first edition OS map as 'The White House'. Based on this it is possible to conclude that this building predates 1840.



Figure 21. View northeast towards the White House



Figure 22. View north towards the White House

- 4.3.19. Given the White House could not be accessed, a summary of significance with a focus on the contribution of setting to that significance is provided below.
- 4.3.20. The building appears to be of two storeys and built to a rectangular plan, aligned roughly north-south. The principal elevation would appear to face east with a rear elevation facing over its historic garden plot to the west. The building is likely to be of brick, painted white on its west and east facing elevations, with a gabled tile roof with stacks to each gable end. Although difficult to tell from a distance it also appears to be in poor condition.
- 4.3.21. The setting of the White House today appears to be largely derived from its topographical position on raised ground to the north of the brook to the south and its interrelationship between its historic garden plot and the trackway leading up to it. The garden plot itself appears to have been extended and now looks to encompass the former field to its south. This is largely set to grass and scrub vegetation with tree and hedge planting to its periphery – most notably along its northern side and extending south along its eastern boundary.
- 4.3.22. The near setting of this asset appears to have remained largely unchanged with the adjacent fields to the immediate south and extending east along the course of the track to Horsebridge. Beyond this the continuation of the track, which is recorded extending further west on historic mapping, has been severed by the construction of the A267.
- 4.3.23. It has seen change over the course of its history. Most notably this has included the construction of later housing to the south forming the western section of the Lower Horsebridge settlement. The contribution of setting to the significance of this asset is largely derived from its historic plot, its garden and the mature trees which bound its plot on all sides, including to the west where it meets the site boundary.

5 RELEVANT LEGISLATIVE & POLICY CONTEXT

5.1 INTRODUCTION

- 5.1.1. In determining any planning application for development, the local planning authority will be guided by current legislation, government planning policy, and the policy and guidance set by the relevant Local Planning Authority (LPA).
- 5.1.2. The following section sets out the legislative and planning policy context for the proposed scheme, including national and local planning guidance.
- 5.1.3. The applicable legislative and policy framework to this assessment includes the following:
- The Town and Country Planning Act 1990;
 - The Planning and Compulsory Purchase Act 2004;
 - The Planning (Listed Buildings and Conservation Areas) Act 1990, and
 - Planning Act 2008.
 - Section 16 of The National Planning Policy Framework (NPPF)
 - Local Planning Policy
- 5.1.4. In addition to the above the following guidance is also applicable:
- National Planning Policy Guidance (NPPG)

5.2 THE PLANNING (LISTED BUILDING CONSENT AND CONSERVATION AREAS) ACT 1990

- 5.2.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 (P(LBCA) Act) sets out the legal requirements for the control of development and alterations which affect heritage assets.
- 5.2.2. Any decisions relating to conservation areas must address the statutory considerations of the P(LBCA) Act 1990. The key elements of this Act relevant to this heritage statement are outlined below:
- 5.2.3. Section 66 of the Act places a duty upon the decision maker in determining applications for planning permission affecting listed buildings to pay special attention to the desirability of preserving or enhancing the character or the listed building.

5.3 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 5.3.1. The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. The framework recognises the need for the planning system is to contribute to the achievement of 'sustainable development', through achieving three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- 5.3.2. a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- 5.3.3. b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- 5.3.4. c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.3.5. Paragraph 11 of the framework states that 'plans and decisions should apply a presumption in favour of sustainable development'.
- 5.3.6. Section 16, paragraphs 189 to 208, of the framework sets out the national planning policy basis for conserving and enhancing the historic environment.
- 5.3.7. Paragraph 189 recognises that heritage assets are an irreplaceable resource and requires the significance of heritage assets to be considered in the planning process, whether designated or not.
- 5.3.8. Paragraph 194 places a duty on local planning authorities to require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. 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.
- 5.3.9. Paragraphs 199 to 208 of the framework address the impact of a proposed development on the significance of designated and non-designated heritage assets.
- 5.3.10. Paragraph 199 of the framework states 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.'
- 5.3.11. Paragraph 200 of the framework states that, 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

- 5.3.12. Paragraph 202 of the framework states that, 'Where a development proposal will 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 including, where appropriate, securing its optimum viable use.'

5.4 LOCAL DEVELOPMENT STRATEGY FOR WEALDEN DISTRICT COUNCIL

- 5.4.1. The local development strategy for Wealden District Council consists of the following documents:

- Wealden District Core Strategy Local Plan (February 2013)
- Adopted Local Plan (Saved Policies, 1998)

- 5.4.2. It is noted that in addition to the above, a new local plan is currently being produced. There are no draft versions of this plan available on the council's website at time of writing. A Plan for consultation is likely to be published in late summer or early autumn this year, covering both site allocations and development management policies. At the first pre-application meeting with Wealden District Council, the Council confirmed that in the absence of local guidance on the historic environment that reference is to be made to HE's Planning Note 3.

- 5.4.3. Additional local planning documents that are considered relevant to the proposals include:

- Hellingly Neighbourhood Plan
- Wealden Design Guide

WEALDEN DISTRICT CORE STRATEGY (FEBRUARY 2013)

- 5.4.4. The Wealden District Core Strategy is a key policy setting out the vision and spatial objectives for the district up until 2027. The following spatial planning objective is deemed relevant to the proposals:

SPO2 *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 LOCAL PLAN 1998 (SAVED POLICIES)

- 5.4.5. The adopted Local Plan 1998 has a number of policies that were saved by approval of the secretary of state. The following policies, deemed relevant to this report, within the Local Plan 1998 that are present on the list of saved policies are outlined below:

EN19 *Within Conservation Areas, proposals which do not preserve or enhance their existing character, scale and visual amenity will be resisted. In particular:*

(1) the Council will not normally grant outline planning permission for development in a Conservation Area. A full detailed application showing siting, design, external appearance, landscaping and means of access will normally be required;

(2) proposals to demolish a building or part of a building will be resisted unless it can be shown that it is wholly beyond repair, incapable of reasonable beneficial use, of inappropriate structure or design,

or where its removal or replacement would enhance the character or appearance of the Conservation Area. Where development is envisaged demolition will only be permitted where there are approved detailed plans for new development;

(3) any proposals for development should respect the character of the existing buildings, important views and spaces and the historic settlement pattern in terms of scale, height, form, grouping and density, and should preserve or enhance the character or appearance of the Conservation Area;

(4) in considering any proposals for development, the Council will require the use of building materials appropriate to the locality and sympathetic to those of nearby buildings. Walls, gates and fences should be of a kind traditionally used in the immediate locality;

(5) the Council will seek to retain, require the reinstatement and encourage the use of traditional features which contribute to the character and appearance of the area. In addition to buildings and groups of buildings, these features will include trees, hedges, walls, fences, gates, open spaces, ground surfaces, lamp posts and other appropriate street furniture;

(6) proposals that would generate traffic, car parking, noise or other activities which would adversely affect the character of the Conservation Area will be resisted;

(7) applications for advertisement consent will only be granted where the advertisement respects the character and appearance of the area and meets highway safety considerations;

(8) the felling or extensive lopping of trees will be resisted. Where consent is exceptionally given, replacement planting with the same species or others in keeping with the character of the area will be required.

HELLINGLY NEIGHBOURHOOD PLAN

5.4.6. The Hellingly Neighbourhood Plan includes the following objectives in relation to protecting the historic environment:

5.4.7. Policy HV1 requires 'the submission of a Design and Access Statement, will be expected to clearly demonstrate:

[...] ii) How it protects the historic development pattern of the settlement and does not detract from this pattern. This should seek to also ensure retention of existing field patterns along with hedgerows and trees along boundaries. iii) Supports the preservation and enhancement of designated heritage asset and their settings. iv) Use of designs that respect traditional and locally distinctive materials including their usage such as plain clay tile for roofing materials and tile hanging.

Policy LHB1 state that 'Where the principle of new development within Lower Horsebridge Character Area is considered appropriate proposals will be required where appropriate to clearly demonstrate i) How it supports the preservation and enhancement of designated heritage assets and their settings. ii) Acknowledgement of buildings that make a positive contribution to the settlement and its character and appearance through designation as locally listed buildings and show how the development has

regard to the scale of loss or harm when balanced against the significance of the building. iii) How the proposed development protects the historic development pattern and the key views and vistas as shown on Map 4. iv) That there is no erosion of the sense of openness and rural character of the existing setting of the settlement. v) How it promotes the use of locally distinctive materials including brick, tile hanging and plain tiled roofs together with use of or retention of traditional windows, doors, porches and shop fronts where they exist.

Where new development is considered acceptable, subject to other policies within the NDP developments shall vi) Ensure they respect the prevailing scale, mass, footprint, materials and appearance of positive and locally distinct buildings. vii) Seek to ensure the retention of field patterns along with hedgerows and trees along boundaries.'

Policy LD1 states that 'Where considered acceptable in principle new development within Lower Dicker Character Area will be required where appropriate to clearly demonstrate i) How it supports preservation and enhancement of designated heritage assets and their settings. ii) Acknowledgment of buildings that make a positive contribution to the character of the area and its appearance through designation as locally listed buildings and how their scheme has regard to any scale of loss or harm, when balanced against the significance of the building. This includes the Zoar Chapel. iii) How it protects the historic pattern of development clusters of built form and the important gaps between and views of the countryside between and beyond as shown on Map 5. iv) No erosion of the sense of openness and rural character of the settlement. v) Where new development is considered acceptable, respect for the prevailing scale, mass form materials and appearance of positive and locally distinct buildings. vi) Use of locally distinctive materials including brick, tile hanging and plain tiled roofs. vii) That, in the case of modern or contemporary buildings that are acceptable in principle, they respect the prevailing settlement pattern and grain are of high quality and make a positive contribution to the identity of Lower Dicker. viii) Retention of existing field patterns along with hedgerows and trees along boundaries.

WEALDEN DESIGN GUIDE

5.4.8. The Wealden Design Guide provides general design considerations for new large-scale, non-residential building:

2.1 New large-scale buildings of a modern character should be designed so as to minimise the visual impact they will have on their immediate and wider setting. In order to achieve this the following issues will need to be addressed:

- Nature of site, whether elevated, flat or in depression
- Type of use and likely environmental implications
- Location of site within landscape and proximity to highways and footpaths
- Location within site, including proximity to access road and boundaries
- Eaves and ridge heights in relation to nearby buildings and skyline

- *Materials used, including colour*
- *Signage and illumination*
- *The extent of ancillary buildings or structures, such as fuel tanks*
- *Security requirements, including lighting and boundary treatments*
- *Landscaping, both hard and soft*
- *Light spillage*
- *Environmental implications*
- *Ecological implications*
- *Archaeological implications*

5.4.9. The design guide also states the following:

2.3 Where the site lies within a 'sensitive' designated area or is within the setting of a listed building, the size, design, materials and detailing of the proposed new building will be expected to be of the highest quality, assuming that the principle of construction is acceptable...

3.6 In sensitive locations it may be necessary for any new building to be of a traditional form. Where this is the case, it is essential that the scale, massing, proportions, detailing and use of materials accurately reflects the historic local form and character so as to avoid a 'pastiche' appearance. In contrast, the choice of a more contemporary style may give greater freedom in terms of its design, materials and detailing, although it would still be expected to be sympathetic to its setting and any neighbouring buildings.

6 IMPACT ASSESSMENT

- 6.1.1. This section will consider the impact of the proposals on the significance of Brook House, Grantham House and White House as buildings of special architectural and historic interest. The proposals will be assessed in line with the relevant statutory duties and the national and local heritage policy context.
- 6.1.2. It is recommended that the following be read alongside the supporting documentation and drawings provided in the submission.
- 6.1.3. We consider the key issues for consideration to be the impact of the proposed development on the contribution of setting to the significance of the following:
- Brook House, a grade II listed building
 - Grantham House, a positive contributor
 - White House, a positive contributor
- 6.1.4. The proposals will be assessed based on the policies and guidance set out by Historic England in Conservation Principles, Policies and Guidance (2008) and against criteria set by Historic England as published in Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets.

6.2 PROPOSALS

- 6.2.1. In summary, the proposed scheme is for the construction of the Wealden Community Sports Hub which will include the following:
- Main vehicular access from the A267 with adjacent coach drop-off
 - Two football pitches
 - 2-court multi-use games areas (MUGA) (x2)
 - 2 padel tennis courts
 - A main car park
 - Overflow parking
 - Pedestrian access from the south (A271)
 - Skate park
 - A clubhouse (including changing rooms, main building and café)
 - Associated lighting for parking and sports pitches – 15m poles
 - Fencing around the sports pitches/courts
 - Acoustic fencing to the south site boundary, just north of Brook House

- Planting and landscape scheme, which includes the retention of the existing banks of mature trees

- 6.2.2. The proposed scheme will result in a change to the current baseline conditions from open field to an area of sport grounds and ancillary uses. This will see the introduction of built form, hardstanding, parking, new access and associated landscaping onto the subject site.
- 6.2.3. For full details of the proposed scheme the Design and Access Statement by PRP and the supporting planning documents should be viewed.

6.3 IMPLICATIONS OF THE PROPOSAL

- 6.3.1. In accordance with Historic England's Good Practice Advice 2, *"Change to heritage assets is inevitable, but it is only harmful when significance is damaged."* Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.
- 6.3.2. As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in Historic England's Good Practice Advice 3 (GPA 3). Again, fundamental to the methodology set out in this document is stating *"what matters and why"*. Of particular relevance is the checklist given on page 13 of GPA 3. It should be noted that this key document also states that: *"Setting is not itself a heritage asset, nor a heritage designation..."* hence any impacts should be described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.
- 6.3.3. With regards to changes in setting, GPA 3 states that: *"Conserving or enhancing heritage assets by taking their settings into account need not prevent change"*.
- 6.3.4. As outlined in the proposal summary above, most of the proposed work comprises the addition of sport grounds, which will not be readily apparent due to the existing and proposed natural screening, the topography of the site and the nature of the proposal, which comprises flat hardstanding. Some associated elements of the proposal include vertical structures. These include the clubhouse which will be situated in a central location within the site, fencing around the site boundary and several of the proposed sports grounds and lighting.
- 6.3.5. The proposed development within the site will alter the current baseline condition resulting in a change introducing built form, associated landscaping and infrastructure. In addition, development will result in the introduction of lighting and activity associated with sports use. This has a potential to have an indirect impact on the wider setting of the identified heritage assets. Any impact to the significance of these assets is, however, limited based on the much altered wider 'historic' setting of the assets and the limited contribution the site makes to an understanding and appreciation of these assets' principal heritage values and overall significance.
- 6.3.6. The proposed clubhouse is a single storey structure which will sit approximately 160m west of White House and approximately 140m north of Brook House. The clubhouse will effectively be two buildings

connected by a corridor link. This arrangement is reminiscent of the 'dispersed' farmstead layouts seen throughout East Sussex and Kent. Early farmsteads did not follow a specific pattern and were characterised by unplanned layout that arose from emerging necessities and grew in an ad-hoc manner. The proposed arrangement is informal and in keeping with the characteristics of original farmsteads in the wider area. Its architectural expression adheres to the typical evolution that arose from changing uses including infill buildings and extensions. This is reflected in the varied roof forms, which include hipped and gabled, and the varied material palette, including timber, tile hanging and Wealden sandstone, creating a more 'organic' composition of built form. Although the material palette and proposed layout follow a traditional 'dispersed' farmstead, the detailing in contrast is clearly contemporary. The combination of high quality traditional materials, forms and layout, contemporary detailing and modest mass and scale will be entirely sympathetic to its setting and neighbouring buildings. Its location in the central portion of the site also positions it far away from the closest neighbouring buildings, including the grade II listed Brook House and White House. It is therefore unlikely that either of their settings will be impacted by this proposal. Grantham House is located to the southwest past several intervening structures and its setting will therefore not be impacted by the proposed clubhouse.

- 6.3.7. A car park will be situated to the northeast portion of the site, bounded by a 'vegetation buffer' comprising trees and shrubs and a strip of field with the stream to the east. Within the carpark itself there will be planting bounding each section to soften the hardstanding. This is located far from any of the three identified heritage assets. Due to the location and intervening existing and proposed planting, it is highly unlikely to impact the settings of any of the three identified heritage assets.
- 6.3.8. The proposed fencing mainly comprises a 3m high welded mesh fence to each pitch/court. This is a transparent element that will be painted green to blend in with the background. This will be further softened by informal planting throughout the site. Overall visual impact will therefore be low. Due to the existing mature trees within the site and the proposed planting, it is unlikely that these will share a view with the grade II listed Brook House when viewed from the A271, where its principal elevation is best appreciated. Given the distance from White House and Grantham House, it is unlikely that the proposed fencing will share any views or make an appreciable difference to the settings of either of the positive contributors.
- 6.3.9. A solid timber acoustic fence, 2.7m in height is proposed to the rear of the plot boundary to Brook House next to a substantial hedge already in existence. Several options for the positioning of the fence were explored. The resulting proposal is a balance between obtaining the best outcome in terms of acoustic insulation whilst keeping visual impact on the listed building to a minimum. Additional structural buffer planting along the site/Brook House plot boundary is proposed with intermittent semi mature specimen trees to reduce intervisibility between the house and the Wealden Community Sports Hub as well as conceal the acoustic fence. Several outbuildings within the rear garden of Brook House already exist and screen views between the site and the house. As outlined in the significance assessment, much of the contribution of setting to Brook House's significance is derived from its garden

plot and the fields to the south of the A271. Views towards Brook House from the south show it in its wider rural context. It is unlikely that the fence, which will be situated circa 55m north of Brook House's principal street facing elevation, will be readily visible or make an appreciable difference to its setting.

- 6.3.10. A timber post and rail fence is proposed to the south entrance adjacent to Brook House. This will be 1.2m high and will be low in terms of visual impact. Its diminutive stature is further mitigated by the existing hedging which will be left in place on the Brook House and additional native shrub vegetation planted on the site side next to the footpath.
- 6.3.11. New lighting is a contingent part of the proposed sports grounds. Lighting will be provided with "designed-in" mitigation including louvres, reduced column heights and aiming angles. Additional mitigation will be that lights will only be switched on when required. The lighting will be mounted on 15m columns around the two football pitches and 10m columns on the tennis courts and MUGAs. They will be concentrated around the sports grounds, which are set far back from the site boundary and even further back from any of the three identified heritage assets. From the A271 these may be visible in the background, however, their slim profiles will be low in terms of visual impact.
- 6.3.12. Visibility to and from the site is restricted by mature trees and hedgerows, which in turn form an important part of the settings of the identified heritage assets. Additional screening in terms of native trees and hedging will be introduced to the boundaries of the site, especially to the south. This planting will serve to shield further any development from casual views looking north from the A721. A comprehensive landscaping scheme is proposed and includes the addition of 'Vegetated buffers', meadow glades, native shrub vegetation and new trees interspersed throughout the sports grounds and surrounding each of the proposed sports ground. As shown in the vegetation Strategy and Tree Planting Strategy (ARES Landscape Architects) and presented in PRP's Design and Access Statement, the proposed tree planting and vegetation is highly varied with a variety of different species proposed around the site boundary and intermingled around the site. This will help visually divide the various sports grounds and screen views of mesh fencing and hardstanding. Furthermore, the proposed scheme has been consciously designed to work around the existing banks of mature trees within the Site which make a notable contributor to the character of the site itself.

6.4 SUMMARY

- 6.4.1. This report has undertaken an assessment of the significance of those heritage assets that have a potential to be impacted by the proposed development within the subject site.
- 6.4.2. An assessment of the subject site provided above has demonstrated that as the site makes a limited contribution to the core heritage values that can meaningfully be attributed to the rationale for the statutory designation of the grade II listed Brook House. Based on the significance assessment it is clear that the site only has the potential to influence the wider setting of Brook House. The significance of this asset is largely derived from the architectural and historic interest embedded in its fabric and form. The contribution of setting to the significance of this asset is weighted towards its immediate

setting - formed by its historic plot and associated planting. This setting has been subject to notable change over time and no longer reflects the historic situation once associated with this asset. As a result, it now makes a limited contribution to the ability to understand and appreciate the significance of this asset. Mitigation measures have been put in place to reduce any potential impact the scheme may have on the significance of the listed building. This includes creating a natural envelope to conceal the proposed acoustic fence to the rear (north) of the Brook House plot, as well as siting the proposed sports grounds centrally towards the north of the site, a notable distance from the listed building. As a result, it is concluded that the proposed development will result in no loss to the special architectural and historic interest that can be attributed to the asset.

- 6.4.3. Given distance, and intervening structures, the subject site does not form any part of the setting of Grantham House. It is, therefore, contended that the proposed scheme will in no meaningful way diminish the ability to understand and appreciate the significance of Grantham House.
- 6.4.4. The White House is located c.75m to the site's east boundary, beyond a stream and a bank of mature trees, which will all be retained. Although it is partially visible from within the site it is not readily noticeable due to its relative location and its diminutive stature. In addition, the sports grounds will be largely hidden from view with limited to no intervisibility between the site and the White House due to the proposed siting of the grounds, which will be set well back from the east site boundary. Additional natural screening provided by a variety of semi mature specimen trees will also be provided that will further reduce any perceived influence the proposed scheme will have on this positive contributor.
- 6.4.5. Based on the above assessment, it is concluded that there will be no direct impact on any of the identified heritage assets, namely the grade II listed Brook House and the positive contributors Grantham House and the White House. The only potential impact is restricted to a change in the contribution of setting to the significance of the assets identified. In each case it is concluded that the subject site makes a limited contribution to the attributes that convey architectural and historic interest to the identified assets, and that any perceived impact to the setting of the heritage assets is on balance minimal. If any harm is perceived, this would be at the lower end of 'less than substantial', as per the NPPF's test set out in para 202. The public benefit will be through the creation of a sports hub of high communal value close to the communities it will serve, which will also encourage and support economic growth in the area.

7 CONCLUSION

- 7.1.1. The NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. This HS has identified the heritage assets with a potential to be sensitive to the proposed works, it has considered their significance and assessed the impacts of the proposed works on their significance.
- 7.1.1. Three heritage assets have been identified and has a potential to be sensitive to the proposed scheme. These are:
- Brook House, a grade II listed building located to the south of the site
 - Grantham House, a 'positive contributor' located to the southwest of the site
 - White House, a 'positive contributor' located to the east of the site
- 7.1.2. The proposed scheme is for the Wealden Community Sports Hub with associated access routes, parking and landscaping.
- 7.1.3. This scheme would see a change from the current baseline conditions with the subject site from a field of pastureland and trees to the proposed Wealden Community Sports Hub. Although this will result in an apparent change to the adjacent land near the above identified heritage assets, any perceived impact resulting from this change it is mitigated though considered citing of the new grounds, fencing and comprehensive landscaping scheme which will screen views.
- 7.1.4. In line with paragraph 202 of the NPPF, and as assessed above, the proposed scheme will have minimal impact upon to the significance of the identified designated heritage assets. Should an adverse impact be perceived, this would fall towards the lower end of 'less than substantial harm' where the public benefit of the scheme through the introduction of a sports hub to be used by the wider community would outweigh any perceived harm.
- 7.1.5. Based on the above it is contended that the ability to understand and appreciate the core heritage values that contribute to the significance of Brook House, the White House and Grantham House will be maintained and is therefore in accordance with relevant legislation and national and local planning policy.

Thank you for viewing our Heritage Statement.

If you have any queries or would like to discuss anything further with us please don't hesitate to get in contact hello@fullerlong.com



Appendix d

Minutes of meeting of Wealden DC Full Council, held on 22
November 2023

Minutes of meeting of the FULL COUNCIL held on Wednesday, 22nd November, 2023 in Civic Community Hall, Vicarage Lane, HAILSHAM (10.00 a.m. to 1.20 p.m.)

PRESENT: Councillors A Arthur, A Blake-Coggins, G Blake-Coggins (Vice-Chair), D Brookbank, N Cleaver, C Coleman (Chair), P Coleshill, B Cox, G Draper, M Everitt, M Fairweather, M Gadd, S Glynn-Ives, D Greaves, R Grocock, P Holbrook, J Howell, J Hulbert, M Lunn, D Manvell, R Millward, A Newton, G Owen-Williams, J Partridge, Dr P Patterson-Vanegas, C Primett, Dr B Redman, D Shing, O L Shing, R Shing, I Tysh, D Upton, C Usborne, D White, G White, K Williams and A J Wilson.

APOLOGIES: Apologies for absence were received from Councillors K Benton, J Clark, G Collins, S Mayhew, B Reed, G Shaw, S Shing and A Wilson.

23/44 APOLOGIES

Apologies for absence were received.

23/45 DECLARATIONS OF INTEREST

No declarations of interest were made.

23/46 CALL OVER PROCEDURE

The following items were reserved from the Call-Over list for discussion later at the meeting:

- Item 8, Paragraph 8 – Housing Decarbonisation Progress (CAB 60/2023-HB) Reserved by Councillor Grocock
- Item 8, Paragraph 18 – Wealden Sports Hub (CAB 63/2023-PHAM) Reserved by Councillors Newton and David White
- Item 10 (Also listed as Item 8, Paragraph 17) – New Council Strategy for Wealden (CAB 57/2023-L) Reserved by Councillor Partridge

In accordance with Procedure Rule 12.9 the receipt of the unreserved items was moved by Councillor Gavin Blake-Coggins and declared carried by the Chair.

RESOLVED – To receive the following items from the Call-Over list and approve the recommendations therein:

- 1) Item 8, Report on Behalf of the Cabinet by the Leader:
 - a) Items dealt with under **delegation by the Cabinet**:
 - Paragraph 1 – Financial Management 2023/2024 Quarter 1 Forecast to Year End (CAB 50/2023-FHR)
 - Paragraph 2 – Risk Management Policy and Framework (CAB 52/2023-L)

- Paragraph 3 – Wealden Community Sports Hub Project Update (CAB 53/2023-PHAM)
 - Paragraph 4 – Homelessness and Rough Sleeping Strategy 2024-29 (CAB 54/2023-HB)
 - Paragraph 5 – Tenants & Leaseholders Housing & Support Strategy 2023-28 (CAB 55/2023-HB)
 - Paragraph 6 – Place Based Performance Monitoring (CAB 58/2023-L)
 - Paragraph 7 – Customer Insights Repot 2022/23 (CAB 59/2023-WCS)
 - Paragraph 9 – Condensation and Mould Policy 2023 (CAB 61/2023-HB)
 - Paragraph 10 – Crowborough Leisure Centre (CAB 62/2023-PHAM)
- b) Items dealt with under **delegation by Individual Portfolio Holders**:
- Paragraph 11 – Public Spaces Protection Order (Dog Fouling) Consultation (IND 45/2023-WCS)
 - Paragraph 12 – Joint Strategic Access Management and Monitoring (SAMM) Strategy Variation to Legal Agreement (IND 46/2023-PED)
 - Paragraph 13 – Provisional Revenue and Capital Outturn 2022/23 (IND 47/2023-FHR)
 - Paragraph 14 – Response to the consultation on Social Housing Regulators revised regulatory consumer standards (IND 56/2023-HB)
 - Paragraph 15 – Consultation Response to Regulators for Social Housing proposed changes to their fee's regime (IND 57/2023-HB)
- c) Items **recommended to Full Council by Cabinet**:
- Paragraph 16 – Annual Treasury Report 2023/23 (CAB 51/2023-FHR)
- d) Items **recommended to Full Council by Individual Portfolio Holders**:
- Paragraph 19 – Food Safety Plan 2023/24 (IND 48/2023-PHAM)
 - Paragraph 20 – Health and Safety Service Plan 2023/24 (IND 49/2023-PHAM)
 - Paragraph 21 – Public Spaces Protection Order (Dog Fouling) (IND 58/2023-WCS)
- 2) Item 11, Renewal of membership of the Wealden Independent Remuneration Panel
- 3) Item 12, Appointment of Parish Representatives to the Standards Committee

23/47 MINUTES

Moved by Councillor Usborne and seconded by Councillor Arthur.

RESOLVED – that the minutes of the meeting held on 19 July 2023 as circulated on the agenda be taken as read, confirmed as a correct record and signed by the Chair.

23/48 CHAIR'S ANNOUNCEMENTS

The Chair made a number of announcements setting out many of the activities undertaken to promote greater community engagement.

The Chair congratulated Councillor Stephen Shing, on behalf of the Council, for being made an Honorary Freeman of Polegate in recognition of many years public service.

23/49 QUESTIONS FROM THE PUBLIC

None.

23/50 NOTICE OF AMENDMENT TO THE SCHEME OF DELEGATIONS OF EXECUTIVE FUNCTIONS

The Notice was received.

23/51 REPORT ON BEHALF OF THE CABINET BY THE LEADER

A) RESERVED ITEMS FROM THE LEADER'S REPORT – DELEGATED

The following items, previously dealt with under delegation, were reserved for discussion. No vote was required.

Paragraph 8 – Housing Decarbonisation Progress (CAB 60/2023-HB)

Reserved by Councillor Grocock who asked how the budget for decarbonisation had been spent and what the estimated future costs would be.

Councillor Millward responded and confirmed that funding had to come from the Housing Revenue Account which was occasionally supplemented by government grants, this could not be topped up from the General Fund. The HRA budget was approximately £1m per year which was spend on a variety of energy efficiency measures. The Council was prioritising 'worst first' and had completed E rated properties and were now working through D rated properties. The Council was seeking all possible government grants but otherwise was limited to the scope of the budget.

B) RESERVED ITEMS FROM THE LEADER'S REPORT – RECOMMENDED

The following items, recommended to Full Council, were reserved for discussion and a vote was required.

Paragraph 18 – Wealden Sports Hub (CAB 63/2023-PHAM)

Reserved by Councillors Newton and D White.

The Chair noted that the report contained 5 recommendations, however recommendations A-D were made under delegated powers so only part E was for Full Council to decide.

Councillor Williams moved and Councillor Holbrook seconded recommendation E set out in the report.

Debate on the motion included the following points:

- The project had been progressed over several years.
- Updates had been provided to both Audit, Finance and Governance Committee and Overview and Scrutiny Committee.
- The project would deliver much needed facilities in the district and in particular in an area which had received much new housing.
- This was an ideal use of CIL funding.
- Sustainable location.
- State of the art facilities.
- No viable alternatives.
- Recent lobbying against the project received.
- Low response to recent consultations.
- Inappropriate to allocate additional funds until a final budget had been set.
- Costs had already increased significantly.
- Approval of additional funds would be tacit approval of the scheme before all the costs or alternatives were known.
- The allocation would reduce the balance of the fund for use elsewhere.
- Should wait for the planning application.
- Should wait for confirmation of grant funding.
- Should wait for detailed cost plan.
- Should wait for tender results.
- The new administration may not have the experience to manage the project.
- Other projects, including new medical centres, should be prioritised.
- The project would extend the boundaries of the built area.
- Project was started by the previous administration.
- The site would be green in character and not suitable for housing so it would not contribute to a built-up environment.
- The facilities would be a source of pride and mitigate some of the impact of housing expansion.
- Grant funding was hard won so should be seen as strong endorsement.
- There was existing need with many people travelling long distances to use such facilities.
- The site would have all-weather pitches for year-round use.
- Experienced officers would manage the project.
- Would provide much needed facilities for young people, families and older people trying to keep active.
- Delay would add cost.
- Would provide a health and wellbeing hub with complementary facilities.
- The total cost for the project was within the budget approved by the previous administration.
- This project did not preclude other projects progressing.
- Sports and outdoor activity would support people's health and wellbeing, complementing other medical facilities.
- Such facilities locally would reduce the number and length of journeys out of the district.

- The Council was investing in medical facilities in addition to this project.
- No point in waiting for planning permission as if not granted the project would not proceed.
- It was not prudent to hold significant amounts of CIL, or S106, funds as it would enable developers to argue it wasn't needed.
- Many of the new councillors had experience outside the council for managing projects and scrutinising budgets.
- The new facilities would be expensive for users.
- There were too many un-answered questions.
- Full Council should have a final say after planning permission is obtained and tenders are submitted.
- Delays were costing taxpayers significant amounts.
- There were sufficient sports pitches already, investment was needed to make better use of them.
- Athletics facilities were needed more than sports pitches. The project would result in a white-elephant.
- More information on user fees was needed.
- The site would be run as a subsidiary charity of the Football Foundation, any profit would be reinvested and the risk does not sit with the Council.
- Most councils experiencing financial difficulties was as a result of reckless borrowing. Wealden was not borrowing.
- The Alliance was committed to delivering the medical centres which could be done without the use of CIL funding.
- The previous administration approved the project budget which at that time included £7m borrowing.
- Holding large amounts of CIL money would count against the Council in the government funding settlement.
- The project would progress through rigorous RIBA stages where costs will be more accurately defined.
- Delay increased costs and risks losing £3.5m grant funding from Football Foundation.
- The project accords with the new Council Strategy.
- The project would be in addition to many other smaller-scale interventions to invest in facilities.
- Several sports clubs had already expressed interest in the new facilities.
- Use of CIL, rather than borrowing, would reduce the costs for users of the facilities.
- If costs increased further, a decision for funding would have to come back to Full Council.

During the debate, Councillor Howell raised a point of order to question whether it was correct for Councillor Holbrook to second the motion if he had an interest by virtue of his membership of Hailsham Town Council. The Chair, on the advice of the Chief Executive, ruled that being on the town council did not give rise to a declarable interest as the town council did not have an interest in the land or the delivery of the project.

The Chair took a vote on the **motion** which was **carried**.

RESOLVED – To approve the capital budget for delivering the scheme, to include the allocation of an additional £5.183 million of CIL funding.

23/52 QUESTIONS FROM MEMBERS

A) WRITTEN QUESTIONS

None.

B) ORAL QUESTIONS

1. Councillor Lunn to Councillor Millward, Housing and Benefits Portfolio Holder, relating to comments made via social media regarding Southern Water Stakeholder Group.
2. Councillor David White to Councillor Partridge, Leader of the Council, relating to the prayer which precedes meetings of Full Council.
3. Councillor Manvell to Councillor Partridge, Leader of the Council, relating to diverting the increased income from investments to mitigate the impact from interest rate rises on residents.
4. Councillor A Blake-Coggins to Councillor Williams, Public Health, Wellbeing and Asset Management Portfolio Holder, relating to efforts to improve health services in Hailsham.
5. Councillor Howell to Councillor Williams, Public Health, Wellbeing and Asset Management Portfolio Holder, relating to changes to plans for developing health and leisure facilities in Crowborough.
6. Councillor Brookbank to Councillor Millward, Housing and Benefits Portfolio Holder, relating to increasing the supply of social housing.
7. Councillor Arthur to Councillor Tysh, Planning and Environment Portfolio Holder, relating to rescheduling committee meetings.
8. Councillor Patterson-Vanegas to Councillor Tysh, Planning and Environment Portfolio Holder, relating to an update on the key issues affecting Planning.
9. Councillor Cox to Councillor Williams, Public Health, Wellbeing and Asset Management Portfolio Holder, relating to clarity around approval of leisure centres across the District.

23/53 NEW COUNCIL STRATEGY FOR WEALDEN

Reserved by Councillor Partridge.

Councillor Partridge moved and Councillor Millward seconded the recommendations set out in the report.

Debate on the motion included the following points:

- A new strategy had been formulated based on the feedback of residents at the recent elections.
- There was agreement between the Liberal Democrats and Green Party on many local matters.
- The Strategy had not been subject to consultation but would be regularly reviewed.
- The Strategy was high level and set the tone and direction. It was not exhaustive.
- An overview of the Strategy was given which included the vision: "To be a place where people and nature thrive together"; and mission: "To be an

enabling and enterprising Council working alongside all our communities to create a greener, fairer and kinder district for present and future generations.”

- Failure to tackle problems erodes public confidence.
- The Council benefited from stable and sustainable finances.
- Initial feedback on the Strategy was positive.
- The recognition of interdependence of people and nature was welcomed.
- Tackling climate change was essential.
- The Strategy had many aspects which supported the environment and Wealden’s particular landscape.
- Resources in putting together the Strategy could have been put to better use.
- The Strategy was light in content.
- The Strategy provided no measures of progress.
- Aspects such as ‘kindness’ should be common sense and were unmeasurable.
- Repeated references to transparency imply the opposite.
- ‘Working Group on Over-Development’ did not support the Strategy.
- Other parties blamed the government for high housing targets whilst setting out plans for higher targets.
- There was high concern about the number of houses being built.
- The clear focus on environmental issues was welcomed.
- The Strategy was easy to read and understand.
- References to ‘affordable housing’ should refer to affordable and social housing.
- The Strategy served a different purpose to the Local Plan.
- Community Land Trusts and Community Cooperative Housing should be considered to build local communities and avoid the pitfalls of Right-To-Buy.
- The willingness to revise and update the Strategy was welcomed.
- The commitment to improve community engagement was welcomed.
- There needed to be greater clarity on what was meant in practice by Equality, Diversity and Inclusion.
- The lack of consultation was disappointing.
- Once adopted, the Strategy could not be amended arbitrarily.
- Consultation would have provided an opportunity to improve.
- The Strategy was the headlines, policies and detailed plans with measures would come in due course.
- The Strategy reflected the priorities expressed on the doorstep.
- The Strategy was worded to be flexible.
- The heading ‘Affordable Homes’ referred to truly affordable homes and was not limited to a single tenure.
- Work was continuing on the new Local Plan.
- Honesty was essential, this including being honest about things that were not within the Council’s control.
- Clarity was needed on what the new ways the public could engage will be.
- Work on related policies was already underway.
- Future reports and decisions would reflect the values set out in the Strategy.

- The Strategy would have wide ranging effects, including the day-to-day way in which services were delivered.
- Councillors and residents will be able to interact with the Strategy through Lets Talk Wealden and put forward future suggestions.
- Listening to residents would be central to everything in future.
- Change would take time but the administration was committed to the Strategy.
- Success would be measured via:
 - Place-based metrics, an LGA endorsed method of reporting the impact on communities, details were available on Lets Talk Wealden and the Members' Hub.
 - Traditional performance reporting.
 - New qualitative feedback throughout the service delivery process.
- Kindness was about addressing the injustice felt by many people at failure to tackle problems.
- Groups such as WGod would have a voice in future but delaying action on housing would be a mistake.
- The Strategy was built on a strong foundation.
- Paternalistic tendencies of the past needed to go and be replaced by community empowerment.

During the debate, Councillor Osborne moved and Councillor Alison Wilson seconded a motion for a **recorded vote** which was **carried**.

The Chair took a recorded vote on the **motion** which was **carried**.

Recorded vote:

- **For:** Councillors Arthur, Brookbank, Cleaver, Coleman, Coleshill, Cox, Everitt, Fairweather, Gadd, Glynn-Ives, Holbrook, Hulbert, Manvell, Millward, Owen-Williams, Partridge, Dr Patterson-Vanegas, Daniel Shing, Raymond Shing, Tysh, Osborne, G White, Williams and A J Wilson. (24)
- **Against:** Councillors Draper and Newton. (2)
- **Abstain:** Councillors Greaves, Grocock, Howell, Lunn, Primett, Dr Redman, Upton, D White. (8)
- **Absent:** Councillors A Blake-Coggins, G Blake-Coggins and O L Shing left the meeting prior to the vote.

RESOLVED – That the new Council Strategy as at Appendix A to the report is adopted to replace the previous Corporate Plan.

23/54 RENEWAL OF MEMBERSHIP OF THE WEALDEN INDEPENDENT REMUNERATION PANEL

Moved as part of the unreserved items on the Agenda.

RESOLVED – To approve the appointment of Mr Clive Mills and Mr Edward Stone to the Wealden Independent Remuneration Panel for a term ending 25 November 2025.

23/55 APPOINTMENT OF PARISH REPRESENTATIVES TO THE STANDARDS COMMITTEE

Moved as part of the unreserved items on the Agenda.

RESOLVED – To approve the appointment of Mr Keith Stevens, Mr Andy Watkins and Mr Chris Castle, with one substitute, Ms Christine Payne MBE (for Mr Watkins), to the Standards Committee.

23/56 MOTION FROM COUNCILLOR COX

Councillor Cox moved and Councillor Manvell seconded the motion set out in the notice on the agenda.

Debate on the motion included the following points:

- The last time the Overview and Scrutiny Committee had spoken to the Environment Agenda was 2013
- The purpose of the motion was to:
 - Join up the various departments and outside organisations to protect the rivers.
 - Re-establish a close working relationship with the Environment Agency.
 - To help educate residents on water safety.
- Working together with outside organisation may help establish best practices of collaborative working which would benefit the Council generally.
- The motion builds on previous good work to help clean rivers.
- The Environment Agency was underfunded.
- There were three significant waterways running through the district. Quantity of water was also a factor to consider as several important habitats needed consistently high volumes of water.
- A recent High Court judgement indicated a general lack of political will to act by DEFRA.
- The motion would divert resources to something over which the Council had no control.
- The specific actions set out in the motion were achievable.
- Overview and Scrutiny Committee had previously indicated its willingness to accept the topic of the motion.
- The motion was in accordance with the recently adopted Council Strategy.
- The Council should give a voice to residents even if not directly within its control.
- Need to manage expectations on what can be achieved.
- There was an opportunity for everybody to get involved through the Local Nature Recovery Strategy led by East Sussex County Council.
- This was an opportunity to hold the Environment Agency to account as it was failing its responsibilities.
- As a large district, Wealden was ideally placed to represent residents at the right level.
- The Council had some powers to impact environmental policy, such as influence over housing and business growth and good convening power.

- To try was better than not.

The Chair took a vote on the **motion** which was **carried**.

RESOLVED –

1. To request the Overview and Scrutiny Committee to set up a working group to investigate river damage and preservation. Investigate silt run off in developments close to rivers and work with the Environment Agency to reduce silt run off into our river. This includes but is not mutually exclusive to the Ridgewood development;
2. To request a meeting with the Environment Agency, Council officers and the chair of Overview and Scrutiny Committee to look at the state of our rivers at this moment;
3. To call for an audit by the Environment Agency of the damage to our rivers and look at best practice to protect wildlife with a report published to Wealden District Council;
4. To aim to have healthier rivers by the end of the current term (May 2027) and have a long-term plan on river restoration using the Local Plan and the Council Strategy as vehicles for progress; and
5. To work closely with relevant stakeholders to clean our rivers and stop 3rd party contaminants reaching our waterways.

23/57 URGENT BUSINESS

None.

Chair

Appendix e

Plates



Plate 1 View of Brook House from A271, from where the architectural interest of its principal elevation can be understood and appreciated



Plate 2 View from Brook House over land to the south, with appeal site to right and existing built development (Solent Crescent) to the background



Plate 3 Oblique view of Brook House from A271



Plate 4 View west from PRoW HEL/12/1 with Brook House frontage visible to right



Plate 5 View from the A22 towards the entrance to the Boship Farm Hotel site



Plate 6 Approach to Boship roundabout along A22 from west, with Boship Farm Hotel visible to right



Plate 7 Approach to Boship roundabout along A267 from the north, with Boship Farm Hotel visible to rear right



Plate 8 Approach to Boship roundabout along A271 from the northeast with limited visibility of Boship Farm Hotel



Plate 9 Approach to Boship roundabout along A22 from the east, with limited visibility of Boship Farm Hotel



Plate 10 View west from PRow HEL12/1 with glimpsed winter view of Boship Farm Hotel visible in centre background