
Appeal Decision

Site visit made on 4 January 2017

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 January 2017

Appeal Ref: APP/E2205/Y/16/3155855

14 Regent Street, Rolvenden, Cranbrook TN17 4PE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr D Barham (Hole Park Estate) against the decision of Ashford Borough Council.
 - The application Ref 16/00596/AS, dated 21 April 2016, was refused by notice dated 14 June 2016.
 - The works proposed are described as 'lifting the ceiling height to first floor, new partition walls, removal of door and provision of shower room to 1st floor; raising of ladder staircase to second floor'.
-

Decision

1. The appeal is allowed and listed building consent is granted for the lifting of the ceiling height to first floor, new partition walls, removal of door and provision of shower room to 1st floor; raising of ladder staircase to second floor at 14 Regent Street, Rolvenden, Cranbrook TN17 4 PE in accordance with the terms of the application Ref 16/00596/AS, dated 21 April 2016 and the plans submitted with it subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) Prior to the commencement of the works hereby approved details of mechanical ventilation or flues to be installed including location, dimensions, colour and materials and details of the route of the waste pipes and SVP to final connection point to the foul drain shall be submitted to and approved in writing by the local planning authority. The mechanical ventilation or flues shall be implemented in accordance with the approved details.
 - 3) Prior to commencement of the works details of the first floor ceiling construction, including the method of support and/or suspension, materials and finishes shall be submitted to and approved in writing by the local planning authority. The ceiling shall be constructed in accordance with the approved details.

Preliminary matters

2. The description of the works is taken from the appeal form, which replicates that on the Council's decision notice. The original description on the application form was for 'internal alteration'. The description of the works taken from the
-

appeal form more accurately reflects and describes the proposed works and therefore I have used this in the banner heading and my decision above.

3. The appeal site is one of a terrace of four properties known as Alma Cottages, the postal addresses of which are numbers 12 to 18 Regent Street. Although the postal address of the property is 14 Regent Street it is also known as or referred to as 2 Alma Cottages. The group of cottages known as Alma Cottages are identified as a Grade II listed building in the statutory list which describes them as two storeys in red brick. They have an C18 core which was later extended in 1854, as identified by an external date on the front elevation.
4. In considering these appeals I have had regard to my statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, at sections 16(2). This requires that I 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 when considering whether to grant listed building consent

Main Issue

5. The main issue is therefore the effect of the proposed works on any features of special or historic interest of this Grade II listed building.

Reasons

6. The building derives its special architectural and historic interest primarily from its C18 core albeit there is some interest from the evolution of the building through later alterations. The appellant's statement of significance asserts that the original core building started life as a non-residential building, and relies on the low roof plates to support this contention. It is further contended that the mid C19 alterations for the rear extension facilitated the conversion to residential use. The Council do not contest these comments.
7. The C18 historic core of the building provided for a range one room deep over three storeys. The ceiling heights of the building are low and add to the special architectural and historic significance of the building. There does not appear to be dispute that the demolition of the ceiling would result in the loss of historic fabric. On this basis it is evident that the proposals would result in harm to the designated heritage asset. I have a statutory duty to have special regard to the desirability of preserving the building and any special features it possess I therefore give this harm considerable weight and importance in my decision.
8. The National Planning Policy Framework (The Framework) advises at paragraph 132 that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. It further advises that as assets are irreplaceable any harm or loss of significance should require clear and convincing justification.
9. The applicant points out that the low ceiling heights are such that the rooms with the lower ceilings are unfit for modern living, that they cannot reasonably accommodate a shower facility and that people cannot stand up straight. The existing property has a bathroom facility in a ground floor modern extension but no other access to washing facilities. The Council accept that this is not ideal and indeed accept that the low ceiling height places restrictions on the occupation of the building.

10. Paragraph 134 of the Framework advises that where a development would lead to less than substantial harm to the significance of a heritage asset this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
11. The alterations to the room proportions resultant from the partitioning and the minor lifting of the ladder stairs to the second floor attic room are minor elements that would not result in significant harm but I also weigh this limited harm in the balance.
12. Overall I consider the harm that I have identified to the listed building to be less than substantial in the terms of the Framework.
13. The property was last used for residential occupation and it is proposed to make alterations to bring the cottage up to modern habitable standards for the estate workers. It is evident that the low ceilings and various obstructions would restrict the occupation of the building and its viable use. The alterations would seek to continue the existing use but introduce necessary modern facilities such as adequate shower facilities.
14. I accept that the proposals would harm the significance of the building, to which I give significant weight and importance, but I am also acutely aware of the restrictions on occupation that the existing layout produces. I am satisfied that the appellant has provided convincing justification as to the need for the alterations and in detailing the works has sought to retain items which will retain much of the internal historic quality of the building. The retention of the main beam and lower door heads will retain an indication of the original ceiling heights for future generations.
15. The proposal would bring an existing property back into a viable modern use that would safeguard the heritage asset into the future. The securing of a residential unit and the safeguarding of the heritage asset are public benefits that I attribute significant weight. When added to the detail of the proposed works and the retention of aspects of the existing building that will continue to reveal the historical layout of the property I am satisfied that the proposed works are acceptable.
16. The Council have provided suggested conditions and I have considered these in the context of the advice in the planning practice guidance and paragraph 206 of the Framework. In this regard there is no need for a plans condition as the decision is in respect of the plans submitted with the application as is made clear in my formal decision above. I have imposed a condition in relation to details for mechanical ventilation and flues to safeguard the integrity of the listed building. For similar reasons there is a need to require details of the method of construction and suspension of the ceiling, as there also appears some confusion in the papers regarding how this would be detailed.
17. For the reasons given above I conclude that the appeal should succeed.

Kenneth Stone

INSPECTOR