



Appeal Decisions

Site visit made on 13 November 2019

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 10th December 2019

Appeal A Ref: APP/V2255/W/18/3216664

Harrow House, Shottenden Road, Sheldwich ME13 0JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Cook against the decision of Swale Borough Council.
 - The application Ref 18/504095/FULL, dated 3 August 2018, was refused by notice dated 27 September 2018.
 - The development proposed is a replacement single storey extension and replacement windows and doors.
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Appeal B Ref: APP/V2255/Y/18/3216668

Harrow House, Shottenden Road, Sheldwich ME13 0JX

- 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 & Mrs Cook against the decision of Swale Borough Council.
 - The application Ref 18/504096/LBC, dated 3 August 2018, was refused by notice dated 27 September 2018.
 - The works proposed are a replacement single storey extension and replacement windows and doors.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The submitted plans also show a number of replacement windows and doors in addition to the proposed extension. These were referred to in the Planning & Heritage Statement but not on the application form. Such works were also not referred to in the Council's decision notices although the Council has since confirmed that they were considered as part of the application proposals. For the avoidance of doubt, I have considered these changes as part of the appeal proposals before me and adjusted the descriptions of the proposals accordingly.
4. The proposal involves a listed building. As such section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) 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. Accordingly, I have determined the appeal on that basis.

Main Issue

5. The main issue for both appeals is the effect of the proposals on the special architectural and historic interest of the Grade II listed building.

Reasons

6. Harrow House comprises an C18 two storey detached cottage which is located on the southern side of Shottenden Road at its junction with Faversham Road. It is a Grade II listed building. There is a detached garage on the north eastern side of the building, whilst at the rear there is a central wing which is two storeys in part and with a single storey cat slide roof extension to one side and with a porch to the other.
7. The proposal is to replace the cat slide roof extension with a larger single storey extension which would extend to the same depth as the central wing at the rear, and almost to the main south west elevation of the cottage. It would have a hip ended roof which would extend above the eaves of the main cottage. In addition to new windows and a door within the extension, there would also be a number of replacement windows to the front, rear and side elevations as well as a replacement door to the porch.
8. The appellant argues that the rear extension was already in place when the property was first listed in 1986 and therefore that should be the starting point for assessment. It is pointed out that a number of alterations have been made to the property over time but that the proposed works would represent a modest proposal with an extension which would still be subservient to the main building and with sympathetic detailing.
9. In my view, the key significance of the building lies with the original small scale and largely rectangular configuration of the two storey cottage, together with relatively small window openings, all of which is particularly appreciated from the front and sides. The evidence before me is not clear as to whether it may or may not have had an original projection at the rear. However, even if it did, being single storey only the simple rectangular form of the cottage would have been apparent. Permission was granted in 1980¹ for the first floor extension and works to either side as described above, and although they somewhat dominate the cottage, the character of the original building can still be appreciated even from the rear.
10. The proposed scheme would add a further increase in ground floor footprint at the rear which in conjunction with the existing projection, would extend more than half the width of the rear elevation and to a greater depth than the main footprint of the original cottage. The proposed roof would also extend well above the original eaves line of the cottage. Additionally, its form and shape, which would be different from the existing rear extensions, would cumulatively introduce a series of different architectural elements at the rear. A combination of these issues would obscure an additional section of the historic rear wall and further erode the historical layout and form of the cottage.
11. Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm

¹ Application Ref SW/80/1180

amounts to substantial harm, total loss or less than harm to its significance. Given that the original structure and layout of the cottage would largely remain, I find that the harm would be less than substantial in this instance.

12. Under such circumstances, paragraph 196 of the Framework says that such harm should be weighed against any public benefits of the proposal including, where appropriate, securing its optimum viable use. In that regard I note that the building is currently in sound residential use with apparently adequate amenities, and whilst I understand the desire of the appellant for increased floorspace, it does not appear to be a fundamental requirement for continued residential use. No other public benefits have been drawn to my attention which would outweigh the harm identified above.
13. I acknowledge that the 1980 extension was already in place at the time of listing of the property. However, it does not follow that the new extension is part of the historic character of the building. Listings are for descriptive purposes and only include objects or structures fixed to the buildings and any free standing object or fixture erected before 1 July 1948 within the curtilage of a listed building under section 1(5) of the Act. Similarly, I attach little weight to the fact that Historic England did not object to the application, since for resource reasons it does not ordinarily comment on alterations to Grade II listed buildings, deferring instead to the specialist conservation advice within individual Councils. I note that was the case here in terms of its consultation response.
14. With regard to the proposed replacement windows and doors, the Council has since advised that it raised no objections to such works, and having noted that they would be sympathetic in materials and design to existing windows and doors in the property, I see no reason to reach a different view. However, since some of those windows and a door form an integral part of the proposed works, they cannot be separated from the combined proposal.
15. Given the above, and in the absence of any substantiated public benefit, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II building. This would fail to satisfy the requirements of the Act and paragraph 196 of the Framework. It would also be contrary to Policies CP4, DM14, DM16 and DM32 in the Council's Local Plan – Bearing Fruits 2031 (LP) in that it would not conserve the building's interest, or features contributing to its local character and would not sustain the significance of a heritage asset. As a result, the proposal would not be in accordance with the Development Plan.

Conclusion

16. For the above reasons, and having regard to all other matters, I conclude that both appeals should be dismissed.

Kim Bennett

INSPECTOR