



Appeal Decisions

Site visit made on 6 May 2021

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

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

Decision date: 18 May 2021

Appeal A Ref: APP/J2210/W/20/3263812

Dane Cottage, Hogg Lane, Petham CT4 5PJ

- 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 Wayne Campbell against the decision of Canterbury City Council.
 - The application Ref CA/20/01841, dated 20 August 2020, was refused by notice dated 23 October 2020.
 - The development proposed is described as '*proposed single storey rear extension and replacement porch*'.
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Appeal B Ref: APP/J2210/Y/20/3263814

Dane Cottage, Hogg Lane, Petham CT4 5PJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) against a refusal to grant listed building consent.
 - The appeal is made by Mr Wayne Campbell against the decision of Canterbury City Council.
 - The application Ref CA/20/01842, dated 20 August 2020, was refused by notice dated 22 October 2020.
 - The works proposed are described as '*proposed single storey rear extension and replacement porch*'.
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Decisions

1. Both appeals are dismissed.

Procedural Matters

2. This decision letter considers two appeals; Appeal A relating to an application for planning permission, and Appeal B an application for listed building consent. Whilst operating under different planning legislation, given the similarity of the issues and the cases presented by the main parties I consider both appeals in this single letter.

Main Issues

3. The main issues for both appeals is whether the proposed works would preserve the listed building or any features of special architectural or historic interest it possesses.

Reasons

4. The appeal building, Dane Cottage, is a Grade II listed building located in a rural setting near to Upper Hardres. It is attached to another building that is

- used as a separate dwelling known as 'Danes End'. The significance of the listed building derives from a number of factors, including its age, relatively small scale, its architectural composition, detailing and materials.
5. Planning permission and listed building consent is sought for the erection of a glazed mono-pitch roofed style conservatory to the rear and the replacement an existing gabled-ended front porch with a double pitched, gable ended porch containing porch area and W.C.
 6. I understand that the building 'Dane Cottage' was extended in around 1991 by the addition of a large two-storey side extension (now known as 'Danes End') with the existing porch added to the property in 2000. As a result, Dane Cottage has already been extended from its original form considerably to provide space for two separate dwellings.
 7. The proposal would introduce further extensions to Dane Cottage to two elevations. Through the size of about 2.9 metres in depth and 6.6 metres, the conservatory would add considerable bulk to the rear of the building. Moreover the width proposed would cover a large part of the rear elevation, as shown on drawing MANSE-20-016-02 Revision A. The porch shown to the front of the building would have a footprint of around 3.1 metres in width by 2.9 metres in depth. Both extensions would appear as large additions to the original form of the building at Dane Cottage.
 8. The individual (in relation to the relevant elevation) and cumulative (when taken into account together and with existing extensions) impacts would detract from the small historic form of the listed building, and thus have negative impact and fail to preserve its special interest. This is further compounded by the visibility of the front and rear elevations from Hogg Lane.
 9. Moreover, the proposed uPVC materials for the conservatory element would be at odds with the generally traditional material palette in evidence at Dane Cottage. I note that the Appellant points to the fact they consider this could be dealt with by means of a suitably worded condition. However, I am unconvinced that this would be reasonable given that it is unclear as to what design changes would be needed to alter from construction of the frames that UPVC usually involves, to the joinery details or other such methods. Such changes are likely to be significant enough that they may well alter the form of the extensions for what permission and consent are sought.
 10. I note the Appellant points to what has been permitted at Danes End for a single storey extension in terms of it being found acceptable by the Council (ref CA/16/02916). I do not have the full details of that scheme before me. Nonetheless, this does not provide justification for the proposal here in terms of the inappropriate materials nor the relationship between the proposed rear and front extensions and the historic parts of the listed building.
 11. I therefore find that the proposals would result in less than substantial harm to the special interest of the listed building; the preservation of which should be given considerable importance and weight. Paragraph 196 of the national Planning Policy Framework (the Framework) indicates that where less than substantial harm is found, this should be weighed against the public benefits.
 12. No explicit public benefits have been suggested in this case; although I note the appellant's point that the proposal would enable occupiers and visitors to

use WC facilities without having to use the old internal staircase which could be difficult for older or less mobile people. However, even were I to consider this a public benefit, this does not outweigh the less than substantial harm I have identified.

13. Accordingly, I find that the proposals would fail to preserve the listed building or any features of special architectural or historic interest it possesses. As such the proposal would not accord with policies DBE3, DBE6, HE1, HE4 and HE5 of the *Canterbury District Local Plan 2017* which amongst other aims seek to ensure that alterations and extensions to listed buildings should preserve and enhance their character and appearance and the special features for which they are designated. It would also be at odds with the Policies of the Framework and the provisions of Sections 16(2) and 66(1) of the PLBCA.
14. For the reasons given above, I conclude that both appeals should fail.

Cullum J A Parker

INSPECTOR