
Appeal Decisions

Site visit made on 19 January 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 05 AUGUST 2021

Appeal A Ref: APP/E2205/W/20/3271315

Green Lane Farmhouse, Green Lane, Challock TN25 4BL

- 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 and Mrs C Ashton against the decision of Ashford Borough Council.
 - The application Ref 20/00005/AS, dated 23 December 2019, was refused by notice dated 27 April 2020.
 - The development proposed is erection of a single storey rear extension and alteration to first floor bedroom window.
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Appeal B Ref: APP/E2205/W/20/3271329

Green Lane Farmhouse, Green Lane, Challock TN25 4BL

- 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 and Mrs C Ashton against the decision of Ashford Borough Council.
 - The application Ref 20/00006/AS, dated 23 December 2019, was refused by notice dated 28 April 2020
 - The development proposed is erection of a single storey rear extension and alteration to first floor bedroom window.
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Decisions

Appeal A Ref: APP/E2205/W/20/3271315

1. The appeal is dismissed.

Appeal B Ref: APP/E2205/W/20/3271329

2. The appeal is dismissed.

Preliminary Matter

3. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. During the course of the appeal the parties were given the opportunity to comment on the revised Framework insofar as the revisions applied to the appeal scheme.
4. As the appeal relates to a listed building consent, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I have also taken account of the guidance within chapter 16 of the Framework.

Main Issue

5. The main issue is the effect of the proposed works on the special interest of the Grade II listed building.

Reasons

6. The building was listed in August 1984. It is detailed as being an early 18th Century farmhouse made of brick with a plain tiled hipped roof. The elevation fronting the Lane has a pleasant symmetry, and there is a small lean-to element on one side. Having regard to the listing and my observations I find that the special interest of the listed building is architectural and historical insofar as it relates to these appeals.
7. The particulars of sale dated 9 January 1945 refer to a picturesque, old-fashioned, ivy-clad brick and tiled unimproved farmhouse, with water supplied from a well located on the property. Its special interest is primarily associated with the simple, traditional form of dwelling which is experienced alongside the cluster of the nearby ancillary buildings. It is accessed via a driveway between the farmhouse and ancillary buildings, and when entering the site, the farmhouse maintains an intimate relationship with the nearby structures. It is a building that has survived as part of a small cluster and largely retains its plan form.
8. I note that the appellant has included a newspaper article referring to a fire at the farmhouse in 1872. They have also referred in their evidence to discussions with local individuals who, being familiar with the area and history of the area, assert that the farmhouse is not an early 18 century building as listed and that there is an error in the dating of the building. Whilst there may be some discrepancies in the history of the farmhouse, it is not within the remit of my decision for me to amend the listing, and I have no evidence before me to suggest that the appellant has approached Historic England with a view to amending the listing. Accordingly, I have considered the special interest and significance of the asset based not only on the listing but the observations at my site visit and on the evidence submitted. There appear to be a number of alterations that may have been made to the property over a period of time. However, these do not alter my own assessment of its special interest.
9. The proposal would include the erection of a rear extension which would combine a double pitched roof, with flat roofs on either side. The extension would be some 4.5 metres in depth and would stretch along the entire length of the rear elevation. The large scale of the extension would be a considerable addition to the farmhouse which would overwhelm the understated scale and form of the listed building. Moreover, the symmetrical and box like design of the extension would be a discordant addition when viewed against the irregular rear elevation of the farmhouse.
10. The extension would involve an overly and unnecessary complicated roof design, which would be a stark contrast to the simple double pitch of the farmhouse roof, which would appear as a jarring and discordant addition to the property. This clash would be exasperated by the proposed palette of materials, which would not respect the simple style of the farmhouse.

11. Whilst views of the extension would not be possible from the Lane, a significant level of historic fabric would be removed, and I find that the extension would be harmful to the special interest of the building itself.
12. The proposal would result in an inharmonious extension and the proposal would not preserve the grade II listed building, and its features or architectural and historical interest described above. The proposal would conflict with Policies SP1, SP6, ENV13 and HOU8 of the Ashford Borough Local Plan 2030. These policies collectively seek to ensure high quality design, with development suitable in terms of its size, scale and materials, which conserves and enhances heritage assets.

Planning Balance and Conclusion

13. Paragraph 199 of 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. That is irrespective of whether the harm amounts to substantial harm, total loss or less than substantial harm. Consistent with that approach, paragraph 200 says that any harm to, or loss of, the significance of a designated heritage asset, including from its alteration, should require clear and convincing justification. Although the degree of harm I have identified would be less than substantial, this does not equate to a less than substantial planning objection, especially where the statutory tests are not met.
14. In that case, paragraph 202 of the Framework indicates that the harm should be weighed against the public benefits of the proposal. Whilst the appellant has stated their commitment as custodians of the building, the proposal is essentially for the private benefit of the appellant rather than for the benefit of the public at large. The additional internal space for the occupiers of the house would not amount to a public benefit.
15. In the absence of any public benefit to outweigh the harm identified above, I conclude that the works would fail to preserve the special architectural and historic interest of the grade II listed building, the requirements of the Act, the Framework and the requirements and objectives of the development plan.
16. For the above reasons, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

J Ayres

INSPECTOR