



Appeal Decisions

Site visit made on 12 July 2023

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th August 2023

Appeal A: APP/E2205/W/23/3317634

The Cloth Hall, Water Lane, Smarden, Kent TN27 8QB

- 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 P Barton against the decision of Ashford Borough Council.
 - The application Ref PA/2022/2142, dated 1 August 2022, was refused by notice dated 9 December 2022.
 - The development proposed is single-storey extension.
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Appeal B: APP/E2205/Y/23/3317643

The Cloth Hall, Water Lane, Smarden, Kent TN27 8QB

- 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 P Barton against the decision of Ashford Borough Council.
 - The application Ref PA/2022/2440, dated 1 August 2022, was refused by notice dated 9 December 2022.
 - The works proposed are single-storey extension.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for single-storey extension at The Cloth Hall, Water Lane, Smarden, Kent TN27 8QB in accordance with the terms of the application, Ref PA/2022/2142, dated 1 August 2022, subject to the attached schedule of conditions.

Appeal B

2. The appeal is allowed and listed building consent is granted for single-storey extension at The Cloth Hall, Water Lane, Smarden, Kent TN27 8QB in accordance with the terms of the application Ref PA/2022/2440 dated 1 August 2022 and the plans submitted with it, subject to the attached schedule of conditions.

Procedural Matters

3. The two appeals concern the same scheme under different, complementary legislation. I have therefore dealt with both appeals together in my reasoning.
4. Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. While the Decision Notice does not refer to harm to the Smarden Conservation

Area, this is highlighted in the Officer Report for Appeal B. I have therefore had regard to this duty alongside those in Sections 16(2) and 66(1) of the Act.

Main Issues

5. The main issues are whether the proposal would preserve a Grade II* listed building, The Cloth Hall, and any of the features of special architectural or historic interest that it possesses, and the extent to which it would preserve or enhance the character or appearance of the Smarden Conservation Area.

Reasons

Special Interest and Significance

6. The appeal concerns The Cloth Hall, a Grade II* listed¹ 15th Century two-storey building arranged to an L-plan configuration, with an exposed close-studded timber frame and plaster infilling, beneath a tiled roof. As far as it is relevant to the appeals, its special interest is to be found in its architectural and historic interest as an exceptional surviving example of a late-medieval Wealden house. It incorporates a fine timber frame, and other important details remain to evidence its former use. Moreover, the northwest side elevation is particularly important given that its first floor oversails and its loft doors and ladder remain in situ. A further loft door above, with a projecting hip over also retains its hoist. This provides evidence of the important contribution the production of cloth in the building is likely to have made to Smarden's economy.
7. The traditional L-plan arrangement is from the addition at the northwest corner of the principal range in the 16th Century and again in the 1930s. The latter was mostly removed following approval in 2016² of a replacement part-glazed extension incorporating a kitchen. However, evidence before me indicates the small canopy in situ northeast of the new extension is a remnant of the 1930s extension that was retained. It overhangs a gas meter box and some piping.
8. Section 1(5) of the Act states 'listed building' means a building included in a list compiled or approved by the Secretary of State and notes objects or structures within its curtilage which, although not fixed to the building, form part of the land and has done so since before 1st July 1948, shall be treated as part of it.
9. Cloth Hall Cottage, northwest of the Hall, likely dates from at least the 19th Century, so satisfies the Act and forms part of the listed building. It is a simpler building of contrasting scale, form, and appearance but it and the relationship between them is important to the understanding and significance of the Hall.
10. The buildings are also located within the Smarden Conservation Area (CA), which focuses on the buildings and green spaces around Cage Lane, The Street and Water Lane. The Hall is one of several important buildings in Water Lane, including the Gilletts Farm Oast and the Church of St Michael. The Hall and its landscaped grounds are very prominent and make important contributions to the character and appearance of the CA and, thereby, its significance.

The Proposal

11. The proposed extension would replace an existing small offshoot northwest from the 2016 extension to form a utility room accessed through a door within

¹ List Entry Number: 1071366.

² Planning References: 16/00154/AS and 16/00155/AS.

the modern kitchen. It would be used in connection with the house and the management of holiday accommodation within adjacent buildings. The wall enclosing the space between the Hall and Cottage would be replaced and the remainder of the 1930s canopy removed.

Effect of the Proposal

12. The proposed extension would be arranged parallel with the original range of the Hall and, thereby, depart from its L-plan layout. However, it would attach to the 2016 extension, so the Hall's historic floorplan would not be interrupted. It would also be modest in scale and incorporate a hipped roof form consistent with the modern extension, Cloth Hall Cottage, and outbuildings in the Hall's curtilage. The design of the proposal would therefore be consistent with the ethos of earlier built forms, and the Hall and Cottage would remain more dominant forms and be differentiated by their architecture and materials.
13. The extension would partially close the gap between the Hall and Cottage, northeast of the latter, but space would remain southwest of the extension within the yard between them. This would ensure the hierarchy and legibility of the buildings and space remains legible and understood, particularly in views from the northeast and southwest within the Hall's curtilage. The extension would also be positioned sufficiently southwest of the prominent and important historical features of the Hall's northwest façade to ensure they and the space beneath remain uninterrupted and their purposes wholly legible in the future.
14. While the extension would partly reduce visibility through to the Hall's rear garden and back out into the CA, it is the contribution made by the buildings themselves and their landscaped surroundings in relation to the Water Lane which are of greater significance to the CA. Views into the CA would also remain unaffected from the Hall and elsewhere within its curtilage.
15. In light of the above, the proposal would preserve the special interest of the Grade II* listed building, The Cloth Hall, and the character and appearance of the CA. Hence, it would accord with the Act; and the design and heritage aims of Policies HOU8, ENV14, ENV13, SP1 and SP6 of the Ashford Local Plan 2030³; and paragraphs 197, 199 and 200 of the National Planning Policy Framework.

Conditions

16. In addition to the standard time limits for both appeals, in the interests of clarity I have specified the approved plans in Appeal A. This is unnecessary in for Appeal B, as the decision incorporates the plans. A condition is necessary on Appeal A given the potential for archaeological remains to be uncovered during construction work. In the interests of preserving the special interest of the listed building, conditions for the specifications and samples of materials are necessary.

Conclusion

17. For the reasons given above, I conclude that the appeals should be allowed.

Paul Thompson

INSPECTOR

³ Adopted February 2019.

Schedules of Conditions

Appeal A: APP/E2205/W/23/3317634

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 2178-21, 2178-36A, 2178-37, 2178-38, 2178-39A, and 2178-40A.
- 3) No demolition or development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
 - the programme and methodology of site investigation and recording;
 - the programme for post investigation assessment;
 - the provision to be made for analysis of the site investigation and recording;
 - the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - the provision to be made for archive deposition of the analysis and records of the site investigation; and
 - the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No demolition or development shall take place other than in accordance with the approved Written Scheme of Investigation.

- 4) Specifications and samples of the materials to be used in the construction of the external surfaces of the development hereby granted shall be submitted to and approved in writing by the local planning authority prior to their use on site. The details shall include:
 - their source, manufacturer, colour and finish;
 - detailed drawings to scale 1:5 and 1:1 of typical details of all new joinery; and
 - detailed drawings to scale 1:1 or 1:2 of sections, mouldings and glazing bars to include means of fixing glazing.

The development shall thereafter be carried out in accordance with the approved specifications/samples.

- 5) Specification of mechanical ventilation or flues to be installed shall be submitted to and approved in writing by the local planning authority prior to their use on site. The details shall include their location, dimensions,

colour, and materials. The development shall thereafter be carried out in accordance with the approved specification.

Appeal B: APP/E2205/Y/23/3317643

- 1) The works authorised by this consent shall begin not later than three years from the date of this consent.
- 2) Specifications and samples of the materials to be used in the construction of the external surfaces of the works hereby granted shall be submitted to and approved in writing by the local planning authority prior to their use on site. The details shall include:
 - their source, manufacturer, colour and finish;
 - detailed drawings to scale 1:5 and 1:1 of typical details of all new joinery; and
 - detailed drawings to scale 1:1 or 1:2 of sections, mouldings and glazing bars to include means of fixing glazing.

The works shall thereafter be carried out in accordance with the approved specifications/samples.

- 3) Specification of mechanical ventilation or flues to be installed shall be submitted to and approved in writing by the local planning authority prior to their use on site. The details shall include their location, dimensions, colour, and materials. The works shall thereafter be carried out in accordance with the approved specification.

End of Schedules