



## Appeal Decisions

Site visit made on 8 August 2023

**by Guy Davies BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31 August 2023**

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### **Appeal A Ref: APP/X2220/W/22/3310451**

#### **Hardacre House, Mill Lane, Preston, Kent CT3 1HB**

- 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 David Kelly against the decision of Dover District Council.
  - The application Ref 22/00585, dated 6 May 2022, was refused by notice dated 26 September 2022.
  - The development proposed is a single storey side extension.
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### **Appeal B Ref: APP/X2220/Y/22/3310470**

#### **Hardacre House, Mill Lane, Preston, Kent CT3 1HB**

- 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 David Kelly against the decision of Dover District Council.
  - The application Ref 22/00586, dated 6 May 2022, was refused by notice dated 26 September 2022.
  - The works proposed are a single storey side extension.
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## **Decisions**

1. Appeal A is allowed and planning permission is granted for a single storey side extension to improve the kitchen area at Hardacre House, Mill Lane, Preston, Kent CT3 1HB in accordance with the terms of the application Ref 22/00585, dated 6 May 2022, and subject to the following conditions:
  - 1) The development hereby permitted shall be carried out no later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 22-11-01, 22-11-02, 22-11-03A, 22-11-04, 22-11-05A, 22-11-06 and 22-11-07.
  - 3) No development shall take place until details of:
    - i) all new joinery to include mouldings and glazing bars including drawings at a scale of 1:5
    - ii) eaves detailing, means of ventilation, roofing felt and insulation including drawings at a scale of 1:10
    - iii) the interface between the existing building and permitted extension including drawings at a scale of 1:10
    - iv) the slate to be used on the roof including a sample and written details

have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

2. Appeal B is allowed and listed building consent is granted for a single storey side extension to improve the kitchen area at Hardacre House, Mill Lane, Preston, Kent CT3 1HB in accordance with the terms of the application Ref 22/00586, dated 6 May 2022, and subject to the following conditions:
  - 1) The works hereby granted shall be carried out no later than 3 years from the date of this decision.
  - 2) No works shall take place until details of:
    - i) all new joinery to include mouldings and glazing bars including drawings at a scale of 1:5
    - ii) eaves detailing, means of ventilation, roofing felt and insulation including drawings at a scale of 1:10
    - iii) the interface between the existing building and permitted extension including drawings at a scale of 1:10
    - iv) the slate to be used on the roof including a sample and written detailshave been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

### **Preliminary Matters**

3. The planning and listed building appeals relate to the same scheme. The requirements of planning and listed building legislation differ. However, to avoid repetition I have dealt with both appeals together unless otherwise noted in this decision letter.
4. The words ‘...to improve the kitchen area’ have been removed from the descriptions given above as they are not acts of work or development and therefore superfluous for planning or heritage purposes.

### **Main Issue**

5. The main issue is whether the proposed extension would preserve the listed building and any features of special architectural or historic interest that it possesses.

### **Reasons**

6. Hardacre House is a grade II listed dwelling<sup>1</sup> with an 18<sup>th</sup> century (C18) exterior but a much earlier medieval timber framed core. The northern part of the building consists of a late medieval hall house running at right angles to the lane. The central hall was floored over and a chimney stack inserted in the C17. The building was refronted in brick in the C18 with a gabled wing and second chimney stack added to the south to form an L-shaped plan. Later C20 extensions have been added along the rear of the northern range (two storey, flat roofed) and to the end of the south wing (one and a half storey, gable

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<sup>1</sup> List entry number: 1031357

roofed). The most recent alterations in the 1990s included some new fenestration and a hipped roof to the end of the northern range, which partly conceals the flat roof of the C20 extension.

7. The significance and special interest of the listed building lies in the medieval timber frame in the northern range, and the later C17 and C18 alterations that have resulted in the L-shaped plan which largely establishes its current form and appearance. There are architectural features of note including the medieval crown post roof, the inserted fireplace in the hall with its chamfered lintel, an unusual curved inglenook in the C18 extension, and a decorative stone panel incorporated into the front elevation. Although the building has been altered over the centuries those changes have been largely complementary and its story can be followed in the surviving fabric.
8. The proposed extension would be a single storey lean-to on the back of the northern range. The elevations would be glazed with white painted timber frames above a painted rendered plinth under a slate roof. The extension would provide an enlargement of the existing kitchen and an altered connection to the dining room.
9. The plan form of the listed building changed to an L-shape with the addition of the C18 south wing, which is itself part of the special interest of the listed building. That L-shape has been extended and modified by the later C20 extensions to give a more nuanced layout to the building.
10. The extension would be positioned at the rear of the northern range, an area that has already been subject to extension and alteration in the C20. Its single storey lean-to form would be subservient in height and scale to the building. The proposed extension would be clearly read as a modest addition to rather than a major alteration of the listed building.
11. In that context I consider that the extension would not blur or unduly dilute the historic plan form of the building. The timber frame and plan of the medieval range is now best appreciated from within the building, which would not be affected by the extension. Externally, the form of the medieval range is largely defined by the steep hipped pitched roof, which would also not be interrupted by the proposed addition. The end of the extension would obscure part of the C18 south wing but that area would be small and would not detract to any material extent to how the wing would be appreciated from the rear garden.
12. The use of slate on the roof would be a departure from the attractive plain clay tiles used as the roofing material on the remainder of the building. However, the shallow pitch precludes their use on the roof of the proposed extension. Slate is a natural material, common on buildings and extensions from the C19 onwards and therefore not out of place in this context. The slates would have a similar colour to the lead roofs and flashing used on the dormer windows in the rear roof planes. Having regard to these factors, I do not consider the use of slate would detract from the appearance or significance of the listed building.
13. The simple lean-to design and extensive use of glazing would reflect the purpose of the extension as a sunroom and as a way of allowing more light to reach the interior of the building. This design helps distinguish its purpose in a way that would be sympathetic to the appearance of the listed building without trying to replicate the size of the windows or proportion of solid to glazing

found on the other parts of the building. In my view it would not detract from the appearance of the listed building or how it would be appreciated.

14. The removal and/or reordering of some internal partitions, doors, windows and external wall would be required to facilitate the scheme. These would all be to the C20 rear extension and therefore no fabric of historic value would be lost. An existing opening would be used to allow access from the extension to the C18 south wing.
15. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require that special regard is paid to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Having regard to the matters considered above, I conclude that the proposal would preserve the special interest and significance of the listed building and therefore the expectations of the Act would be met.
16. In the light of this conclusion, there is no need for me to consider whether there are any public benefits arising from the development. I note that the Council has suggested an alternative means of connecting the kitchen and dining room, and improving light to the kitchen. While that alternative proposal may be possible, that does not mean that the current scheme is any less acceptable.
17. Neither decision of the Council relies on development plan policies, although Policies DM1, DM15 and DM16 of the Dover District Core Strategy 2010 (the Core Strategy) are referenced in the delegated report on the planning application. As these relate to settlement boundaries, protection of the countryside, and landscape character respectively I consider them to be of little relevance to the appeals. An objective of the Core Strategy is to ensure that the intrinsic quality of the historic environment is protected and enhanced and that these assets are used positively to support regeneration, especially at Dover. I consider that the proposed development would not conflict with this objective.

### **Conditions**

18. I have considered the conditions suggested by the Council against the tests set out in paragraph 56 of the National Planning Policy Framework. In the interests of conciseness and enforceability, the wording of some of the conditions has been amended. In addition to the standard time limit conditions, I have imposed a condition listing the approved plans on the planning permission in the interests of certainty. There is no need for a plans condition on the listed building consent.
19. I have imposed conditions requiring the submission and approval of details of the design of specific elements of the extension to ensure that the special interest and significance of the listed building is preserved. These pre-commencement conditions are necessary to address issues that are important to the design of the extension and need to be agreed before the work is begun. I have not required details of mechanical ventilation or flues to be submitted as none are proposed in the scheme. Other than for that point, the appellant accepts in his final appeal statement that these conditions are reasonable and appropriate, which for the purposes of section 100ZA of the Town and Country

Planning Act 1990 I have taken as being written agreement to the pre-commencement nature of the details' conditions.

**Conclusion**

20. I conclude that the appeals should be allowed.

*Guy Davies*

INSPECTOR