



Appeal Decisions

Site visit made on 8 May 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2024

Appeal A: APP/X2220/W/23/3323093

Wells Farm House, Selson Lane, Eastry, Dover CT13 0EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr George Pound of MPL Group against the decision of Dover District Council.
 - The application reference is 22/01691.
 - The development proposed is the erection of a single storey rear extension, construction of a rear patio and brick wall to front elevation.
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Appeal B: APP/X2220/Y/23/3323091

Wells Farm House, Selson Lane, Eastry, Dover CT13 0EF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr George Pound of MPL Group against the decision of Dover District Council.
 - The application reference is 22/01692.
 - The works proposed relate to the erection of a single storey extension.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. In the interests of conciseness, I have taken the proposal descriptions from the decision notices and appeal forms.
4. As the appeal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The Draft Dover District Local Plan (Draft Local Plan) is at an advanced stage. Consultation on the Main Modifications ran until 24 May 2024. The modifications include minor changes to Policy HE1 and its supporting text in relation to heritage at risk buildings and the information which should be included in Heritage Statements. The proposed modifications have no bearing on this appeal. While the Draft Local Plan has yet to be adopted, there is a high probability that the policies will eventually be adopted as originally worded or as proposed to be modified. Therefore, having regard to paragraph 48 of the

National Planning Policy Framework 2023 (the Framework), they can generally be given a considerable amount of weight.

6. The Council raises no objection to the proposed patio and brick wall. Based on the evidence before me and my site visit, I have no reason to reach a different view to the Council on these parts of the proposal. In respect to the patio and brick wall, I find that the special interest of the listed building would be preserved and its significance as a designated heritage asset would not be harmed.

Main Issue

7. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Wells Farmhouse' (Ref: 1374528), and any of the features of special architectural or historic interest that it possesses.

Reasons

8. Wells Farmhouse is an 18th century building, which contains later additions. It has an early 18th century two storey range, with a hipped Kent peg tile roof. A rear projection was added to the farmhouse in the mid-18th century, which was later altered and used as a garage. The rear projection has recently been altered and converted into residential accommodation. A large, Georgian, two storey addition was added to the front of the property in the 19th century, which created a distinctive double pile roof formation.
9. Based on my site visit and the evidence before me, I find that the listed building's special interest and significance insofar as is relevant to these appeals is derived from its historic and architectural interest as an illustration of 18th and 19th century domestic architecture. The building's historic fabric, pitched roofs, use of traditional materials and fenestration, the legibility of its historic plan form and its pleasing architectural style all make important contributions in these regards.
10. The proposal seeks to erect a single storey extension to the rear of the 18th century part of the building. The proposed extension would be set in from the existing side and rear building lines of the property and would not be visible from the public realm. It would have a timber frame, brick plinth, be part timber clad and contain large expanses of glazing.
11. Notwithstanding its subservient scale, the proposal would introduce a flat-roofed, box-like structure that would be in stark contrast with the traditional form and pitched roofs of the host building. The large window openings and use of overtly modern materials would harmfully contrast and jar with the traditional character and more domestic form of fenestration on the host property.
12. The 18th century core of the property is already partially obscured by the 19th century, two storey front addition and the existing rear projection. In combination with the existing rear projection, the proposal would obscure a large proportion of the rear elevation of the building. The appellant advises that no historic fabric would be lost and the external brickwork would remain exposed internally. However, the proposal would further diminish views of the rear elevation and draw attention away from the oldest part of the building.

13. I appreciate that the property has evolved over the centuries and that there was a small lean-to on the rear of the property in the past. The historic maps also show that there was an outbuilding a short distance away from where the extension is proposed. However, this does not justify a new, larger residential extension of a stridently contemporary form in this location.
14. For the reasons given above, I find that the proposal would fail to preserve the special interest of the listed building.
15. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 advises that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm requires clear and convincing justification. Given the nature and extent of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
16. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
17. The appellant states that the extension is required to provide a more workable ground floor layout and to meet the needs of their growing family, which are private benefits. The proposal would result in investment into the property, which would have a small economic benefit, which carries limited weight in favour of the proposal as a public benefit. There is no substantive evidence before me that the proposal is necessary in order to secure the optimum viable use of the asset.
18. Overall, there would be limited public benefits from the proposal. Consequently, I find that there would be insufficient public benefits arising from the proposal to outweigh the harm that would be caused.
19. Given the above, I conclude that, on balance, the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building. The proposal would fail to satisfy the requirements of the Act and paragraph 203 of the Framework. The proposal would also conflict with Policy HE1 of the Draft Dover District Local Plan, which requires that proposals conserve or enhance the heritage assets of the District, sustaining and enhancing their significance. As a result, in respect of the section 78 appeal, the proposal would not be in accordance with the development plan.

Other Matters

20. The Council's delegated report for the listed building consent finds harm in relation to works that appear to relate to a previous scheme and do not form part of these appeals. I have assessed these appeals based on the plans and evidence before me and this matter has not affected my findings on these appeals.
21. The lack of objection from the Parish Council has a neutral effect on my decision and does not outweigh the harm identified above.

Conclusion

22. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

A James

INSPECTOR