
Appeal Decisions

Site visit made on 3 December 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2024

Appeal A: APP/E2205/W/24/3350846

Malthouse Farm, Rock Hill Road, Egerton, Kent TN27 9EB

- 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 and Mrs Hone against the decision of Ashford Borough Council.
 - The application reference is PA/2024/0937.
The development proposed is described as 'demolition of existing single storey extension; erection of a replacement single storey extension; widening of the door to the porch; removal of a modern gas fireplace in the reception room; reinstating a historic door opening; installation of a WC in an existing understairs cupboard and repositioning a modern partition to create a more functional laundry. (Alternative scheme to previously consented applications PA/2024/0146 & PA/2024/0119).'
-

Appeal B: APP/E2205/Y/24/3350849

Malthouse Farm, Rock Hill Road, Egerton, Kent TN27 9EB

- 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 and Mrs Hone against the decision of Ashford Borough Council.
 - The application reference is PA/2024/0945.
The works proposed are described as 'demolition of existing single storey extension; erection of a replacement single storey extension; widening of the door to the porch; removal of a modern gas fireplace in the reception room; reinstating a historic door opening; installation of a WC in an existing understairs cupboard and repositioning a modern partition to create a more functional laundry. (Alternative scheme to previously consented applications PA/2024/0146 & PA/2024/0119).'
-

Decision

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

Preliminary Matters

3. As the appeals relate 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).
4. Since the Council issued its decision notice, the National Planning Policy Framework (the Framework) has been revised, with the latest version published on 12 December 2024. Those parts of the Framework most relevant to this appeal remain unchanged. As a result, I have not sought further

submissions on the revised Framework, and I am satisfied that no party has been prejudiced by my approach.

5. The Council granted planning permission and listed building consent in April 2024 for a single storey rear extension following demolition of existing single storey extension¹. This appeal decision focuses on the aspects of the scheme that have not previously been consented, which includes demolition of the existing porch and the enlargement of the consented extension to project out to the rear as far as the line of the existing porch.

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Malthouse Farmhouse' (List Entry Number: 1071531) and any of the features of special architectural or historic interest that it possesses.

Reasons

7. Malthouse Farmhouse is a timber framed, detached dwelling, which is estimated to date back to at least the 16th century. Part of the building was originally a medieval hall house, which was extended in the 17th century with a two storey cross wing. The historic part of the dwelling, including its cross wing have an 'L' shape plan form. The building has a high quality, timber frame, which is visible internally and externally. Remnants of a jettied end are also legible.
8. Based on my site visit and the evidence before me, I find that the listed building's special interest, insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of a medieval hall house. The building's historic plan form, its timber frame, its use of traditional materials and its pleasing architectural style and design make important contributions in these regards.
9. The proposal seeks to demolish the existing porch, which is located on the rear elevation of the 17th century cross wing. While the existing porch is modest in size, it is of no historic significance and I find that its removal would better reveal the rear elevation of the 17th century cross wing.
10. The rear elevation of the consented scheme was set in very slightly from the rear elevation of the 17th century cross wing, ensuring a sense of subserviency. The proposal seeks to provide an enlarged extension of a similar design. While the proposal would extend no further rearwards than the existing porch, the porch does not reflect the historic building line. Nevertheless, the proposal would be bulkier and result in additional built form to the rear of the property, when compared to the existing porch.
11. I appreciate that the proposal would only result in a modest increase in floorspace in comparison to the consented scheme; that the proposal would be read as a modern addition; and, that the proposal would be subservient in terms of its height to the listed building. I also acknowledge that there are no planning policies before me that specifically require that an extension to a listed building is subservient to the host building. Furthermore, I recognise

¹ Application references: PA/2024/0119 and PA/2024/0146

that the Council has previously advised that an extension that projects beyond the line of the historic cross wing could be acceptable, subject to a high standard of design.

12. Nevertheless, given the size of the proposal and the fact that it would project past the rear elevation of the 17th century cross wing, it would result in a visually discordant and disproportionate addition to the listed building, which would fail to respect its historic plan form. While the historic spaces within the building would remain as higher status spaces due to their historic significance, the proposed room size would be larger and out of proportion with the other rooms in the dwelling. Consequently, I find that the proposal would be an incongruous addition to the listed building, which would fail to respect its historic plan form and would harm the architectural integrity of the listed building.
13. The appellant argues that the proposal would not be visible from the public realm. However, given the size and location of the extension, glimpsed views would be available from the highway to the front of the dwelling. Nevertheless, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
14. The appellants advise that there are numerous examples where listed buildings have been extended resulting in rooms larger than those contained within the listed building. However, there are limited details of such schemes before me and I therefore give this argument very limited weight in my decision.
15. Paragraph 212 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 213 advises that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have clear and convincing justification. I find the proposal would result in a medium level of less than substantial harm; however, this should not be equated with a lesser planning objection and is still 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 215 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. I appreciate the appellants' desire for more open plan living and additional space; however, this is solely a private benefit.
18. The appellants state that the proposal would result in the following public benefits: the reinstatement of a historic opening within the building, which would restore a lost aspect of plan form and circulation and allow the detailing of the former door opening to be appreciated; removal of the 19th century scullery fabric, which in part conceals and abuts against the 17th century cross wing in a detrimental manner; the character, form and design of the proposal better reveals the phasing of the building and internally, provides for a better appreciation and understanding of the 17th century cross wing side wall; the proposal would help to secure the future of the building as a designated

heritage asset; and, the removal of the modern porch and restoration would better reveal the 17th century cross wing.

19. The majority of the public benefits are secured by the consented scheme, which does not result in the harm that I have identified. The removal of the existing porch would better reveal the historic form and character of the listed building. However, given the modest size of the existing porch, I find that the proposed extension would be more harmful to the listed building than the existing porch and I therefore give this argument limited weight in my decision. The proposal would also 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.
20. The appellants also state that the proposal would relieve pressure for potentially detrimental change within the building's more sensitive spaces. However, as listed buildings are protected by the Act, I give very limited weight to this argument. There is no evidence before me to suggest that the use of the building as a residential dwelling would cease in the absence of the proposed changes and I do not find the proposal necessary to secure the viability and long-term conservation of the building as a result.
21. Overall, I give the public benefits limited weight in my decision. Consequently, in attributing great weight to the harm that would be caused to the significance of the designated heritage asset, I find that there would be insufficient public benefits arising from the proposal to outweigh this harm.
22. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest and significance of the listed building. The proposal would fail to satisfy the requirements of the Act and paragraph 210 of the Framework. The proposal would also conflict with Policies SP1, SP6 and ENV13 of the Ashford Local Plan 2030, adopted February 2019. These policies among other things require that proposals preserve or enhance the heritage assets of the Borough, sustaining and enhancing their significance.

Other Matters

23. 'Weatherboarded Barn to North of Malthouse Farmhouse' (List Entry Number: 1319956) lies adjacent to the appeal site. The barn is estimated to date back to the 18th century or earlier. The Council raises no objections to the proposal in respect to the setting of this listed barn. I have had special regard to the desirability of preserving the setting of this listed building in the determination of these appeals and I am satisfied that there would be no harm to the special interest of this listed building through changes to its setting.

Conclusion

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

A James

INSPECTOR