



Appeal Decisions

Site visit made on 15 July 2025

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal A Ref: APP/P3420/W/25/3364963

Prospect House, Main Road, Betley, Crewe CW3 9BH

- 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 Adam Smith against the decision of Newcastle-under-Lyme Borough Council.
 - The application Ref is 24/00884/FUL.
 - The development proposed is installation of electric vehicle charging point and associated cabling.
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Appeal B Ref: APP/P3420/Y/25/3364962

Prospect House Main Road, Betley, CREWE, CW3 9BH

- 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 A Smith against the decision of Newcastle-under-Lyme Borough Council.
 - The application Ref is 24/00885/LBC.
 - The works are for Installation of electric vehicle charging point and associated cabling.
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Decision

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

Preliminary Matters

3. As part of the statutory duties in considering applications for listed building consent and whether to grant planning permission which affects a listed building I am required, as decision maker, to have special regard to the desirability of preserving the listed building, or its setting, or any features of special architectural or historic interest which it possesses under sections 16(2) and 66(1) respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The development and works have already taken place, which was evident on my site visit. The details before me are of what has been installed, and I have assessed what has been installed on its merits. As the works to the listed building have already taken place and are unauthorised, granting listed building consent retrospectively will not alter that fact. Should the appeal be allowed and listed building consent granted, the works would be better described in terms of 'retention' or regularisation' of the said works.
5. The two appeals concern the same scheme under different, complementary legislation. To avoid unnecessary duplication, I have dealt with both appeals together in my reasoning.

Main Issues

6. The main issue in both appeals is whether the development and works would preserve the Grade II listed building or its setting or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance of the heritage asset

7. Prospect House forms part of a Grade II listed building known as 'The Croft and Prospect House'. From the evidence submitted it appears the building was once a school. The official list entry¹ refers to the building being a 'house now divided into two' and I saw the building was a pair of semi-detached dwellings, with Prospect House being the left-hand dwelling (when facing). The building dates from about the early 19th century and comprises 2 parallel ranges, built of red brick with plain tile roofs. It is 3 storeys with reduced proportions to the second floor, with 3 bays, 16-pane glazing bar sashes with wedged-shaped lintels and 2 six-panel doors to centre.
8. I saw that the front of the listed building retains a pleasing symmetry and has been little altered apart from the addition of house name plaques, a light beside each front door and fairly symmetrical alignment of black electric cabling around both front doors. This simplicity and the set back from the road, which according to the appellant is about 13 metres, present a building of quiet and simple grace and stature that occupies a prominent location on the main road through the village.
9. A brick wall has also been erected at some stage from between the two central front doors to the road to subdivide the front garden into two. According to the listing description, the interior of the building was not inspected, but on my site visit I saw that Prospect House largely retained its historic layout and some features.
10. From the evidence before me and what I saw on site, the special interest and significance of the listed building, insofar as it relates to this appeal, are largely derived from a combination of its historic and architectural interests as an example of an early 19th century vernacular higher-order domestic dwelling within a village. The building's age, surviving historic fabric and historic features and use of traditional construction and materials make important contributions in these regards, as does its relatively unaltered front elevation.

Appeal proposal and its effects

11. A wall-mounted electric vehicle charging (EVC) point has been installed on the principal front elevation of Prospect House, sited between the front door and the only ground floor front elevation window, which is a large 20-pane sash window. The EVC casing measures about 430mm tall x 200mm wide and has a projecting depth of about 130mm. Its lower edge is approximately in line with the window cill and the front door threshold, which is elevated and accessed via a flight of 4 steps. The EVC casing is white plastic with a smaller central black panel.
12. A short length of black cabling comes from the bottom of the casing and then runs alongside another black cable, and both then run together up beside the front door. The cabling for the EVC casing then goes through a new drilled hole, where there

¹ National Heritage List for England: List Entry number 1038576

is some brickwork damage, approximately in line with the top of the fan light above the front door. Black cabling that would extend to a vehicle to be charged was coiled around the EVC casing on the wall. From inside the property, there was a high-level cupboard on the wall, at the foot of the stairs, which concealed internal electrical connections. It was painted the same colour as the surrounding walls.

13. The placing of the EVC point on the most prominent elevation of the building, right beside its two main features on approaching (the front door and main ground floor window) introduces a modern plastic feature that detracts from the graceful, uncluttered simplicity of the building and its visual integrity. This is exacerbated by the stark white colour on the EVC plastic casing that is in sharp contrast to the dark brick - this draws unnecessary attention to the installation. As a result, the EVC point is an unsympathetically designed and located addition to the listed building that diminishes its authenticity and erodes its special interest and significance.
14. Whilst the building is set back from the road, it is elevated above the level of it. However, the front boundary wall along the pavement edge does not protrude significantly beyond the level of the driveway. Prospect House also has a wide-open access giving unobstructed views of the property from the road and pavement. Consequently, the EVC point is clearly visible from the road, although it is more fleetingly seen by people passing in vehicles.
15. Pot plants could be placed in front of the charging point to provide some temporary screening, although they would likely be moved and likely set-aside to gain unfettered access to the EVC point. Cars would not always be parked on the front driveway and could not be relied upon to provide screening. The Council has suggested, without prejudice, that the EVC casing could be painted black should the appeal be allowed. Whilst this would help mitigate the visual contrast and reduce the visibility of the EVC to some degree, it would not lessen the siting and cluttering of the elevation with a modern plastic device nor overcome the degradation of the building's significance.
16. Given the above I find the EVC point that has been installed fails to preserve the listed building, or any features of special architectural or historic interest which it possesses. It thus harms the significance of this designated heritage asset.

Public benefits and heritage balance

17. The Framework states that heritage assets are an irreplaceable resource. Paragraphs 212 and 213 of the Framework state 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. Any harm to, or loss of, the significance of a designated heritage asset, from its alterations or destruction or from development within its setting, should require clear and convincing justification.
18. In finding harm to the significance of a designated heritage asset, Framework paragraphs 214 and 215 require the magnitude of that harm to be assessed. Given the nature and extent of the proposed development and against the advice in the Framework and national Planning Practice Guidance (the PPG) I find the harm to the significance of the listed building would be 'less than substantial' and at the lower end of that category. Nonetheless, a finding of less than substantial harm still carries considerable importance and weight.

19. In line with paragraph 215 of the Framework harm must be weighed against the public benefits of the works. Public benefits, as described in the PPG, can be anything that delivers economic, social or environmental objectives and do not have to be visible or publicly accessible. Furthermore, as the PPG advises, conservation is an active process of maintenance and managing change. Being a listed building does not necessarily preclude the installation of more modern features, provided it is done sympathetically and does not detract from the asset's significance.
20. There would be some wider public benefits in that a single charging point would enable the appellant or future occupants to use electric vehicle(s). This in turn would help reduce the consumption of, and emissions from, fossil fuels and accord with the benefits associated with renewable and low carbon energy generation and improved air quality and contribute towards a net zero future, to which the government gives significant weight in the Framework. However, as the appellant acknowledges, this would make be a small contribution overall.
21. The appellant states that other locations, such as on the wall dividing the front gardens or on a post, would require additional cabling and some locations might necessitate a rearrangement of the parking area.
22. I saw that the property benefited from a sizeable, gravelled parking area to the front of the property that could easily accommodate a number of cars, with a choice of locations to park and limited obstacles to negotiate for both vehicles and additional cabling. A rearrangement of the parking area, if indeed needed, did not appear to me to be an unsurmountable issue.
23. Whilst the works have resulted in a limited loss of historic fabric, there is no substantive evidence before me to suggest that there are no other locations on the property or within its grounds where an EVC could be installed, or if there are that they are not possible for technical or operative reasons or would cause more harm to the listed building. Indeed, the appellant thought there was nothing to lose submitting the appeal for what had been installed. Nor is there substantive evidence to explain why more cabling would be a problem.
24. Public benefits can also include works to a designated heritage asset to help secure its future. The property is already in use as a dwelling and so the listed building would not be at risk, or its residential use cease, if the appeals were to fail.
25. To conclude, the weight I ascribe to the limited public benefits above are not sufficient to outweigh the considerable importance and weight I attach to the harm that has occurred to the listed building. Clear and convincing justification for the harm caused to the asset's significance has not been provided. Accordingly, the works fail to preserve the Grade II listed building and any features of special architectural or historic interest. As a result, what has been installed fails to satisfy the requirements of the Act and the Framework.
26. The development would also conflict with saved Policy B5 of the Local Plan 2011 and Policies CSP1 and CSP2 of the Core Spatial Strategy². Collectively these seek, amongst other things, to ensure new development is well designed to respect built heritage and the historic environment and preserves and enhances historic heritage including buildings of special architectural and historic interest.

² Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 – adopted October 2009

27. Whilst not listed in the reasons for refusal, the appeal documentation refers to Policy BBW1 of the Betley, Balterley and Wrinehill Neighbourhood Development Plan 2022-2037³ (the NDP). Amongst other things, this expects development proposals to incorporate EVC points, which the proposal does do. However, this has to be balanced against NDP policy BBW4 that seeks to ensure new development is sympathetic to its surroundings, including the built environment.
28. There are a number of representations in support of the EVC point that has been installed. However, this does not diminish the harm that I have identified.

Conclusion

29. Appeal A: The proposal would conflict with the development plan when taken as a whole and there are no material considerations that outweigh this conflict. Therefore, for the reasons above the appeal should be dismissed.
30. Appeal B: For the reasons given, I conclude that the appeal should be dismissed.

K. Stephens
INSPECTOR

³ Made January 2022