



Appeal Decisions

Site visit made on 10 October 2025

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2025

Appeal A: APP/V2255/W/25/3368097

Stonebridge Lodge, West Street, Faversham, Kent ME13 7RU

- 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 & Mrs Parry against the decision of Swale Borough Council.
 - The application reference is 25/500375/FULL.
 - The development is described as 'proposed adaptations (to existing study only) and extension'.
-

Appeal B: APP/V2255/Y/25/3368096

Stonebridge Lodge, West Street, Faversham, Kent ME13 7RU

- 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 & Mrs Parry against the decision of Swale Borough Council.
 - The application reference is 25/500376/LBC.
 - The works are described as 'proposed adaptations (to existing study only) and extension'.
-

Decisions

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

Preliminary Matters

3. I have omitted the address from the proposal description, so that the description refers to the operative part of the development/works only.
4. As the appeal site lies within a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

5. The main issues are whether the appeal scheme would preserve a Grade II listed building, known as 'Faversham Stonebridge Lodge' (Ref: 1240312) 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 Faversham Conservation Area.

Reasons

Listed Building

6. 'Faversham Stonebridge Lodge' is a Grade II listed building, which dates back to the 18th century and was altered in the 19th and 20th centuries. It was formerly a watch house, which served a local gunpowder works. The appeal property has also been in use as an armoury and a school for children of employees of the gunpowder factory. It is currently in use as a dwelling. The appeal property is single storey in height and has a narrow, rectilinear plan form. It has a simplistic architectural design and is utilitarian in appearance. It is located at the back edge of the pavement and is highly prominent from the public realm. The building is rendered and features timber framed sash windows. It is sited adjacent to Stonebridge Pond and waterways, which were also previously associated with the gunpowder mills.
7. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to this appeal is derived from its historic and architectural interest, as an illustration of 18th century architecture. The building's modest size, its simple rectilinear plan form, its utilitarian design and its association with the industrial heritage of the town make important contributions in these regards.
8. The proposal seeks to demolish an existing garage and erect a single storey extension, which would be joined to the listed building by a glazed link. The proposal would be of a contemporary design and would be clearly read as a later addition to the listed building. While the proposed palette of materials would contrast with those present on the listed building, they are not out of keeping when compared to other materials found in the immediate locality.
9. The listed building is characterised by its simplistic, rectilinear plan form with modest size rooms. The proposal among other things would incorporate a large open plan living, dining and kitchen area, which would be significantly larger in size and out of character when compared to any of the rooms within the listed building. I appreciate that the proposal would appear subservient to the listed building in terms of its height and its set back position. However, the proposal would double the size of the building. The proposed extension would also be deeper than the existing building and although it would be located to the rear, it would extend some distance past the existing side building line of the property. Given the above, I find that the proposal would result in a disproportionate addition to the listed building, which would significantly erode its special interest and its simple, rectilinear plan form.
10. I appreciate that only limited views of the proposed extension would be visible from the public realm due to the screening afforded by the front boundary treatment and proposed planting. However, glimpsed views of the proposal would be visible above the entrance gates. 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.
11. The proposal seeks to remove a door and window to the existing study. The appellants advise that this is non-original fabric, which dates back to the late-20th century. The Council raises no objection to this part of the scheme. Based on the

evidence before me and my site visit, I find no reason to reach a contrary conclusion to the Council on this matter.

12. For the reasons given above, I conclude that the appeal scheme fails to preserve the special interest of the listed building.

Conservation Area

13. The appeal property lies within the Faversham Conservation Area (CA). The CA incorporates a large part of the town centre. The significance of the CA insofar as is relevant to these appeals derives from the high quality of architecture of differing styles and periods, which signify the town's evolution as a historic port and market town and also its industrial heritage, including its association with gunpowder manufacturing.
14. The appeal property is sited at the back edge of the pavement and is therefore highly visible from the public realm. The appeal property by reason of its architectural and historic interest and its association with the industrial heritage of the town makes a positive contribution to the character and appearance of the CA. There is further communal value due to the relationship of the appeal property with the nearby pond, waterways and other historic former industrial buildings.
15. The proposal would necessitate the removal of a weeping willow tree, which is sited to the side of the property. This tree is shown to significantly exceed the height of the boundary treatment on the existing plan and is recorded as being 13 metres high in the appellants' Tree Report. I observed on my site visit that the tree has been recently pollarded. It is also leaning at an angle. At present, the existing tree makes a limited contribution to the character and appearance of the CA due to its size. I appreciate that this contribution will increase as the tree grows. However, the appellants advise that this tree will require pollarding again in the future and this is not disputed by the Council.
16. The proposed plans show new tree planting adjacent to the front boundary and further planting adjacent to the courtyard. Although not shown on the proposed plans, the Design and Access Statement states that three nos. semi-mature river birch would be planted adjacent to the south-east boundary and a new semi-mature weeping willow would be planted to the north of the dwelling, adjacent to the pond. In this case, full details of the tree planting scheme could be secured by condition. While the loss of the existing weeping willow is regrettable, the appeal scheme includes new tree planting, which would compensate for its loss.
17. Given the relatively low roof height of the proposal, its set back position and the proposed boundary treatment/vegetation, only glimpses of the proposed extension would be visible from the public realm to the front of the property. Views from the public open space adjacent to the pond would be largely obscured by the existing outbuilding. Even if the existing outbuilding were to be removed, only filtered views would be available through the existing vegetation.
18. Despite the harm that would be caused to the listed building, I do not find that the proposal would be detrimental to the character or appearance of the CA, nor would it detract from the relationship that the appeal site has with the adjacent pond and nearby former warehouse. Case law¹ has established that proposals must be

¹ South Oxfordshire DC v SSE & J Donaldson [1991] CO/1440/89

judged according to their effect on a CA as a whole and must therefore have a moderate degree of prominence. In this case, given the height, set back position and boundary treatment, the proposal would only have limited prominence from the public and private domain. Accordingly, I find that the proposal would not be detrimental to the CA as a whole and would thus preserve its significance.

Other Matters

19. The appellants argue that the proposal could be easily removed in the future, due to its timber framed construction. However, the proposal seeks consent for a permanent structure and there is no compelling evidence before me that it would be removed in the near future. I therefore give this argument limited weight in my decision.
20. 'Former warehouse (G Twyman and Son Limited)' dates back to the 19th century and is Grade II listed. It lies a short distance away from the appeal site and is separated from the appeal site by a watercourse. The former warehouse is four storeys high and finished in red brick and has a tiled roof. It is currently in use as flats. Based on the evidence before me and my site visit, I find that the special interest of this listed building insofar as is relevant to these appeals derives from its historic and architectural interest as an illustration of 19th century industrial architecture. The building's surviving historic fabric, grand scale, relationship to the adjacent pond and waterway network and its connection to the industrial heritage of the town make important contributions in these regards.
21. The Council raises no objections to the proposal in respect to the setting of the former warehouse. Given the scale and nature of the proposal, the intervening watercourse and the existing and proposed planting, I find no reason to reach a contrary conclusion to the Council on this matter and find that the proposal would preserve the setting of the former warehouse.
22. The 'Former Forge now part of curtilage of 64 West Street' (Ref: 1240483) is a Grade II listed building, which dates back to the 18th century. It is single storey in height and part rendered with a plain tiled roof. Based on my site visit and the evidence before me, I find that the special interest of this listed building, insofar as is relevant to these appeals is derived from its historic and architectural interest as an 18th century forge building. The building's architectural design, surviving historic fabric and its relationship to the Stonebridge Pond and the adjacent group of historic buildings make important contributions in these regards.
23. In this case, given the separation distance, intervening waterways and soft landscaping, I find that the proposed extension would preserve the setting of this listed building.
24. The appellants' submission makes reference to the Public Sector Equality Duty (PSED). Section 149(7) of the Equality Act sets out the protected characteristics for the purposes of the PSED. It is unclear from the appellants' submission which protected characteristic(s) is applicable to the appellants and how the protected characteristic(s) is relevant to these appeals. Nevertheless, I have had due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people with different protected characteristics in my decision. I have also had due regard to the public benefits purported by the appellants, including that the proposal seeks to provide an adaptable and accessible dwelling.

25. I acknowledge the support for the proposal from the Town Council and private representatives. However, this does not alter my findings set out above.
26. The appellants have referenced case law² and state that alternative potential future uses for a development site are a material consideration. There are no alternative or consented schemes before me to consider. The appellants state that the land could be used for a larger housing development, which would not require listed building consent. However, any such development would require planning permission and the statutory duty under Section 66(1) of the Act would still apply. I therefore give this argument very limited weight in my decision.

Public Benefits, Heritage Balance and PSED

27. Although I find that the proposal would preserve the character and appearance of the CA, for the reasons given above, I find that the proposal would fail to preserve the special interest of the listed building.
28. Paragraph 212 of the National Planning Policy Framework (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, or from development within its setting and that any such harm should require clear and convincing justification. Given the nature and extent of the proposal, I find the harm to the special interest of the listed building to be less than substantial and at the mid-to-lower end of the scale. However, this should not be equated with a less than substantial objection and is of considerable importance and weight. 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.
29. There would be a small economic benefit during the construction works and a likely increase in Council Tax payments, which would help support local public services. However, such benefits would be relatively small-scale and I therefore afford them limited weight in my decision as public benefits. The appellants argue that the increase in internal accommodation would help meet modern living standards and thereby secure the building's optimum viable use. While there appears to be a greater demand for three bedroom units in the Borough when compared to one bedroom units, there is still a need for smaller, one bedroom units and I therefore give this argument limited weight in my decision. I turn to the matter of optimum viable use later in my decision.
30. While the extension seeks to provide more accessible and adaptable living accommodation, the bedrooms and bathroom would remain in the historic part of the building. Based on the evidence before me, I am not fully convinced that the dwelling as a whole would be fully accessible to all, including wheelchair users and I therefore give this argument limited weight in my decision.
31. The appellants advise that the proposal would enable essential remedial works to the listed building, which would not be financially viable in the absence of the proposal. The appellants state that such works include addressing damp-related issues that threaten the health of the residents and the historic integrity of the building. The appellants also state that the proposal would allow the painted target,

² Carroll v Secretary of State for Communities and Local Government & Ors [2016] EWHC 2462 (Admin)

which is currently hidden behind plasterboard to be revealed. However, such works do not form part of these appeals and I therefore give this argument very limited weight in my decision.

32. The proposed environmental benefits include the provision of a highly insulated and energy efficient extension; the provision of solar photovoltaic panels; a sedum roof; natural ventilation, passive solar design; and, new tree planting. The proposal seeks to provide a zero carbon property, which would help to meet the government's objectives of achieving net zero. The proposal would also aid with carbon sequestration and have biodiversity, air quality and water attenuation benefits. Paragraph 168 of the Framework requires that significant weight is given to the benefits associated with renewable and low carbon energy generation. However, this does not disapply other parts of the Framework, including paragraphs 202 and 212. These paragraphs state that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance and that great weight should be given to an asset's conservation.
33. The proposal would help to reduce energy costs for the appellants, which the appellants advise are unviable. The appellants advise that the roof needs to be a certain size in order to facilitate the energy requirements for the entire property. While the proposal would help to reduce energy costs for the appellants, there is no compelling evidence before me that the proposal is the only way in which the appellants can achieve the zero carbon standard. There is also no substantive evidence before me that the appeal scheme is necessary in order to secure the optimum viable use of the asset or that the existing use would cease in the absence of the proposed development. Accordingly, I give this argument, limited weight in my decision.
34. Overall, even when affording significant weight to the public benefits of the appeal scheme, the public benefits do not outweigh the great weight, which is required to be given to the conservation of heritage assets.
35. Accordingly, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building. The proposal would fail to comply with the requirements of the Act and the historic environment policies of the Framework. Conflict also arises with Policies CP4, CP8, DM14, DM16 and DM32 of Bearing Fruits 2031: The Swale Borough Local Plan, adopted July 2017 (the Local Plan) and Policy FAV11 of the Faversham Neighbourhood Plan 2024 (the Neighbourhood Plan). These policies among other things require that proposals preserve the special architectural or historic interest of listed buildings, sustain and enhance the significance of designated heritage assets and are appropriately scaled in relation to the building.
36. Given that I have found no harm in relation to the CA, I find no conflict with Policies DM29 and DM33 of the Local Plan and Policy FAV7 of the Neighbourhood Plan. These policies among other things require that development will preserve or enhance the character and appearance of the CA and that where tree loss is unavoidable, replacements should be provided nearby to create a similar level of amenity. Based on the evidence before me, I find that the harm to the special interest of the listed building outweighs any benefits associated with eliminating discrimination against persons with protected characteristics, advancing equality of opportunity for those persons and fostering good relations between them and others.

Conclusion

37. **Appeal A:** The appeal scheme conflicts with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, for the reasons given above and having due regard to the PSED, I conclude that it is proportionate and necessary to dismiss Appeal A.
38. **Appeal B:** For the reasons given above, Appeal B should be dismissed.

A James

INSPECTOR