



Appeal Decision

Site visit made on 19 September 2025

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2025

Appeal A: APP/E2205/D/25/3360255

The Timbers, Finn Farm Court, Kingsnorth, Kent TN23 3BF

- 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 Ian Kirby against the decision of Ashford Borough Council.
- The application reference is PA/2024/1892.
- The development proposed is described as 'converting the loft into two additional bedrooms, installing a new staircase, and replacing roof lights with heritage-style versions'.

Appeal B: APP/E2205/Y/25/3360259

The Timbers, Finn Farm Court, Kingsnorth, Kent TN23 3BF

- 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 Ian Kirby against the decision of Ashford Borough Council.
- The application reference is PA/2024/1945.
- The works proposed are described as 'converting the loft into two additional bedrooms, installing a new staircase, and replacing roof lights with heritage-style versions'.

Decisions

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

Preliminary Matters

3. In the interests of conciseness, I have omitted text from the proposal description that does not relate to the operative part of the development/works.
4. The Council has confirmed that there is a typographical error on the decision notice in relation to the application reference for Appeal B. I have used the correct application reference in the banner header above. I am satisfied that no party has been prejudiced by this error.
5. As the appeal relates to a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Weatherboarded Barn to North of Finn Farmhouse' (Ref: 1071468) and any of the features of special architectural or historic interest that it possesses.

Reasons

7. The 'Weatherboarded Barn to North of Finn Farmhouse' is a Grade II listed building, which is estimated to date back to at least the 18th century. The barn has a rectilinear plan form and is finished with dark, weatherboarding and has a tiled roof. The barn was converted into three dwellings in the 1990s and features domestic style fenestration. While the conversion has subdivided the space within the barn, the appeal property has a double height hallway, which enables some of the sense of space of the former agricultural barn to be appreciated.
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 this appeal is derived from its historic and architectural interest, as an illustration of 18th century agricultural architecture. The building's agrarian character, its timber frame, its surviving historic fabric and the sense of space within the hallway make important contributions in these regards.
9. The proposal seeks to convert the loft space into habitable living accommodation and reposition the existing rooflights. An additional two rooflights are also proposed. The old rooflights would be removed and the roof restored to match the existing conditions.
10. There are currently a number of rooflights on the rear elevation of the listed building, the majority of which are on the appeal property and are sited at a low level, close to the eaves. However, the neighbouring dwelling has recently installed two additional rooflights of differing sizes, one which is at a similar height to those proposed in the appeal scheme¹. While full details of the circumstances of the consented rooflights are not before me, I find that the proposed rooflights would be more prominent in the roof slope than the existing, due to their increase in number and positioning. Accordingly, the proposal would result in a greater level of domestication than exists at present, which would further erode the character of this former agricultural building.
11. I appreciate that the proposed rooflights are sited on the rear elevation and would not be visible from the public realm. Nonetheless, listed buildings are safeguarded for their inherent architectural and historic interest, irrespective of whether or not public views of the building can be gained.
12. While it was evident from my site visit, that many of the timbers within the roof space are relatively modern additions, some historic fabric still remains. It is not clear from the level of detail shown on the plans before me, what impact the new rooflights would have on any historic rafters. Accordingly, I cannot rule out potential harm in this regard.
13. The appellant argues that the appeal scheme complies with the Council's Supplementary Planning Guidance (SPG) entitled 'The Reuse of Agricultural Buildings'. While the rooflights would be sited on the least visible roof slope and in a simple coherent pattern, the SPG seeks to avoid numerous rooflights where they would conflict with the character of the building. In this case, I find that the proposal by reason of the additional rooflights and the repositioning of the existing rooflights would conflict with the character of this former agricultural building. Consequently, I find that the proposal would fail to accord with the guidance set out within the SPG.

¹ Application ref: 20/01198/AS

14. The proposal seeks to cut a historic tie beam and reposition it to become a lintel. New partitions are also proposed, which seek to align with the existing structure. The appellant argues that the proposal is reversible and that the tie beam could be returned to its original position, with new timber spliced in as needed. However, there is no compelling evidence before me that once the attic is converted, the tie beam would ever be returned to its original position. Nonetheless, I find that the proposal would result in the irreversible loss of historic fabric and the relocation of the historic tie beam would harmfully erode the legibility of the listed building. There is also limited evidence before me on the effect of such works on the structure of the building and I cannot rule out potential harm in this regard.
15. I observed that the historic tie beam shows signs of decay and has been subjected to beetle infestation. However, there is no substantive evidence before me that the beetle infestation is live or that the condition of the beam is so poor that it is in need of replacement in the near future.
16. The proposal seeks to provide a new helical staircase, within the central bay. While the proposed staircase would allow the frame to the apex to be viewed, I find that its presence would harmfully erode the sense of space that this area currently exhibits and would also partially obscure some views of the timber frame. The appellant states that the proposed staircase would be fixed into new steel work, which would be reversible and would not affect the original timbers. However, there is limited information before me on the siting of the proposed steel work, in order to fully assess the impact of this part of the works. Although, I observed that steel is already present in the listed building, the proposal would result in a further modern intervention, which would harmfully erode the historic integrity and special interest of the listed building.
17. Following the determination of these applications by the Council, planning permission and listed building consent has been granted for a revised scheme.² The appellant argues that the stair in the consented scheme is more intrusive into the existing fabric. However, the consented scheme preserves the openness of the double height bay; retains the historic tie beam; and, the new heritage-style rooflights would be in the same position as the existing. The consented scheme is materially different to the appeal scheme and I therefore give it limited weight in my decision.
18. For the reasons given above, I conclude that the appeal scheme fails to preserve the special interest of the listed building. Given the nature and extent of the development and works, I find the harm to the significance of the listed building to be 'less than substantial' and at the lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the appeal scheme, including where appropriate, securing the asset's optimum viable use.
19. The proposal would provide enhanced living accommodation for the appellant's family, which is solely a private benefit. The appellant argues that the location of the existing rooflights makes them impractical to operate and clean. However, there is no compelling evidence before me that it is not possible to operate or

² Application refs: PA/2025/1176 and PA/2025/1229

clean the windows in their current position and I therefore give this argument limited weight in my decision.

20. The proposal would result in investment into the property and provide employment for local craftsmen or women, which would have a small economic benefit, which I give limited weight in my decision as a public benefit.
21. The proposed rooflights would improve the levels of natural light to the loft space and be more thermally efficient. The proposal also seeks to provide enhanced insulation within the building. However, limited details of the proposed insulation are before me. I am therefore unable to ascertain whether the proposed insulation would be suitable for use on this historic building. Nevertheless, any improvements to the building's thermal insulation and energy efficiency from the proposal have not been quantified. Given that the proposal relates to a single property, any environmental benefits which would flow to the public at large are likely to be minimal and I therefore give them limited weight in my decision. It is clear that the benefits which would accrue would primarily be of a private nature.
22. There is also no compelling evidence before me to suggest that the use of the building would cease in the absence of the proposed changes. As a result, I do not find them necessary to secure the viability and long-term conservation of the building.
23. 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.
24. Given the above, I conclude that, on balance, the proposal would fail to preserve the special interest of the listed building. The proposal would fail to satisfy the requirements of the Act and the historic environment policies of the Framework. The proposal would conflict with Policy ENV13 of the Ashford Local Plan 2030, adopted February 2019. This policy among other things seeks to preserve or enhance the heritage assets of the Borough, sustaining and enhancing their significance.

Conclusion

25. **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, Appeal A should be dismissed.
26. **Appeal B:** For the reasons given above, Appeal B should be dismissed.

A James

INSPECTOR