



Appeal Decision

Site visit made on 17 March 2026

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th April 2026

Appeal Ref: APP/U2235/D/25/3373706

Old Shelve Farm, The Dairy, Ashford Road, Lenham, Kent ME17 2DT

- 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 S Davies against the decision of Maidstone Borough Council.
 - The application Ref is 25/501900/FULL.
 - The development proposed is described as the addition of four new rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to the setting of a listed building, I have had special regard to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) ("the Act").

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area including the setting of the Grade II listed building, listed as Old Shelve (Ref: 1186033) ("the listed farmhouse").

Reasons

4. The immediate area comprises a cluster of buildings which sit within the setting of the listed farmhouse. While some of these buildings have since been converted to other uses, the evidence suggests that these buildings once formed part of a historic farmstead. The wider area beyond this cluster of buildings is defined by open broad landscapes, rolling fields spread far and wide, punctuated by mature vegetation. The character of the wider area has a pleasant rural appearance within this countryside setting.
5. The Dairy ("the appeal building") was once an agricultural building and the evidence suggests it was historically used as a milking parlour. It has since been converted to a residential unit, but it retains much of its agricultural features and historic character; particularly the elevation which faces the Ashford Road ("A20").
6. The official list entry for the listed farmhouse identifies it as an early to mid-seventeenth century farmhouse with later additions. The entry explains its materials and detailed design including its plan form, windows, and roof. It is a well-preserved farmhouse, and part of its significance includes its setting and its relationship with the appeal building.

7. The appeal building can be viewed from the A20 and as indicated above, the appeal building is a former agricultural outbuilding which sits directly in view from this main road and also as one turns off and enters the site. Although now converted to a dwelling with a new roof and windows at ground floor, the elevation of the appeal building which faces the A20 retains a clearly distinctive agricultural appearance with its simple and uninterrupted steeply pitched plain tile barn hipped roof, low eaves, and timber weatherboarding.
8. The appeal building sets a key vista as one enters the site or views it when passing along the road. While initially screened by trees on approach, the rural and agrarian character of the road-facing elevation of the appeal building creates a clear understanding of the historic farmstead particularly as the listed farmhouse and its relationship with the farmstead become visible within shorter-term views. This provides valuable context for the appreciation of the listed farmhouse, its setting, and the wider countryside.
9. It is proposed to insert four rooflights into the roof plane of the A20 facing elevation of the appeal building. There is limited evidence before me to suggest the rooflights as proposed would reflect the agricultural character of this elevation. Even if there was, it has not been clearly shown that the eye would not be unnecessarily drawn to the rooflights due to the reflective nature of the glass contrasting with the traditional, matt texture of the appeal building's roof during the day or through internal light emitted from the rooflights after dark. This would introduce a domestication of the elevation facing the A20.
10. In addition, the proposed rooflights would introduce intrusive and unsympathetic features to this roof slope by disrupting the existing simple form of the unperforated steeply pitched roof within this highly visible road-facing elevation. This allied with the domestication of the building as set out above, would be unacceptably harmful to the character of the appeal building, the countryside, and would harm its contribution to the setting of the listed farmhouse.
11. While I appreciate the non-A20 facing elevation of the appeal building features rooflights, these sit on a less prominent roof slope which faces away from the main access and the A20. The existing rooflights therefore have less visibility from the main road and access.
12. Therefore, the impact of these existing rooflights have a different and less harmful impact in comparison to what is proposed. I also note that some other buildings within the wider cluster have rooflights, however these buildings are set deeper within the site away from the A20 and the access track, or further from the listed farmhouse. I do not find these to be directly comparable to what is proposed.

Heritage Balance

13. Heritage assets are an irreplaceable resource, and the proposed works would harm the special interest of the listed farmhouse. 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 goes on to say that any such harm should have a clear and convincing justification.

14. Given the scope of the works, I find the harm I have identified in this instance would be less than substantial and at the lower point of this category. Nevertheless, this is of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
15. The appellant explains that the rooflights would be required to improve natural lighting and reduce reliance on artificial illumination in the interests of environmental sustainability. During my site visit I entered each of the rooms where the rooflights are proposed.
16. The master bedroom is already served by two windows in the gable wall and an existing rooflight. The room appeared naturally well lit during my site visit and there is limited evidence before me to suggest that the room suffers from unacceptable daylighting to undertake residential living. I ascribe any benefit from a further rooflight and reduction in artificial illumination use negligible positive weight.
17. The family bathroom and en-suite are not primary living spaces, they are typically used for short-term hygiene rather than longer-term residential living. While a rooflight to each of these rooms would introduce natural light and reduce the reliance on artificial illumination, this benefit carries moderate positive weight given the short-term use of these rooms.
18. Bedroom two is already served by a rooflight, at the time of my visit natural lighting was good within the room and artificial lighting was not required to see around the room. There is also limited evidence before me to suggest that the room suffers from unacceptable daylighting. However, even if natural lighting was an issue, it has not been robustly shown that other, less harmful, methods of acquiring natural light have been explored and robustly ruled out. This benefit therefore carries limited weight.
19. I have also been given no evidence to show that the continued viable use of the listed farmhouse would be dependent on this proposal or that it would cease in its absence. Therefore, without the robust justification to the design approach, the public benefits either alone or in combination would be insufficient to outweigh the great weight attached to the harm I have identified. Given the above I conclude that the proposal would not preserve the features of special interest or the significance of heritage assets.
20. This would fail to satisfy the requirements the Framework, and the relevant provisions of LPRSP9, LPRQD4, LPRSP15, LPRENV1 and LPRSP14(B) of the Maidstone Borough Council Local Plan Review (2024). These, amongst other things, seek to deliver high quality design and ensure that the characteristics, distinctiveness, diversity, and quality of heritage assets would be conserved and, where possible, enhanced.

Other Matters

21. In coming to my decision, I have had due regard to the previous appeal decision at this site¹. I note the findings of the Inspector in their decision. This earlier scheme has now been implemented; however, the impact of the current proposal would be different to this earlier scheme as rooflights would be proposed facing the A20. This other appeal therefore has limited bearing on my overall findings.

Conclusion

22. For these reasons, and having regard to all other matters, the appeal is dismissed.

N Praine

INSPECTOR

¹ Appeal Ref: APP/U2235/A/12/2178121