



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: 9th July 2026

Appeal Ref: APP/E2205/D/25/3374894

The Byre, Station Road, Smeeth TN25 6SY

- 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 Daniel Ray against the decision of Ashford Borough Council.
 - The application Ref is PA/2025/1311.
 - The development proposed is described as a proposed single storey side extension and replacement porch.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant originally submitted applications for Planning Permission¹ and Listed Building Consent² and these were refused by the Council. I note that no valid appeal was lodged against the refusal of Listed Building Consent within the prescribed statutory appeal period. Consequently, I am solely determining the appeal against the refusal of planning permission.
3. Despite the absence of a Listed Building Appeal, as the proposal relates to 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") in coming to my decision.

Main Issue

4. The main issue is whether the appeal proposal would preserve the Grade II listed building known as The Byre (Ref:1185387³)("the appeal building"), and any of the features of special architectural or historic interest that it possesses.

Reasons

Designated heritage assets

5. The appeal building is an eighteenth-century Grade II listed timber framed and timber clad structure under a plain tiled roof. Its existing elevations are simple, and it has a modest rural character. The list entry indicates that parts of the building have historically been used for stabling/an outbuilding for the adjacent mill house sited to the other side of Station Road.

¹ Ashford Borough Council reference PA/2025/1311.

² Ashford Borough Council reference PA/2025/1342.

³ List Entry Name: Stable/outbuilding About 20 Yards North West of Evegate Mill House.

6. Further evidence from both the appellant and Council also suggests that parts of the appeal building may have also been used as a cowshed. Additionally, the building has been extended more recently, circa 2021, and the new extension is accessed through a modest flat roof glass link.
7. The appeal building is identified as having group value with the early eighteenth-century Grade II listed mill house and nineteenth century Grade II listed mill to the other side of Station Road. The mill house is listed as Evegate Millhouse, List Entry Number: 1185369 and the mill is listed as Evegate Mill, List Entry Number: 1071180.
8. Evegate Millhouse is a two-storey building of white painted stone and brick, with a plain tiled roof and a semi-circular fanlight in a gabled porch. The end left bay is identified as a later eighteenth century addition. Evegate Mill is a three-storey building finished in red brick and weather boarding with a plain tiled roof.
9. The significance and special interest of these listed buildings, as far as it relates to the appeal before me, is largely derived from their age, form, siting, historic fabric, and architectural detailing. These attributes mark them as important survivals of the past. Additionally, the appeal building has a functional, and historical relationship with the adjacent mill house and mill. Together, they form a coherent complex where each building informs the appreciation of the others.
10. The appeal building's special interest also derives from its historic linear plan form and its modest rural appearance. This allows the appeal building to be understood as a once ancillary building which served the wider mill complex.

Effect of the proposal

11. The works comprise two elements, firstly, a single storey flat roofed extension, and this is shown as an 'Orangery' on the proposed floor plans. Secondly, the existing small porch is proposed to be removed and replaced with a larger porch area which would extend widthways across the existing gap between the built form.
12. I appreciate that the building has already been extended. However, that has been achieved via a link building which allows the original plan form to remain legible. Although both the proposed extensions would not dominate the host dwelling, in terms of height and size, the proposed porch would significantly close the important spacing between two aspects of the built form and this would increase the footprint and bulk and mass of the building when viewed in its context. The proposed orangery would also be of considerable width and depth, also increasing the footprint and bulk and mass of the appeal building.
13. Consequently, both these aspects of the proposed development would be harmful to the linear plan form of the appeal building and its modest rural character which provides an understanding of its previous use. Additionally, the proposed orangery would feature extensive glazing which, while I appreciate the appellant's attempts not to mimic the historic fabric, would not sympathetically respond to the existing rural simple character of the appeal building. The alterations would therefore undermine the historic and architectural significance of the listed building and cause harm to its identified significance. Although the building would retain the same physical relationship to surrounding listed buildings, it would harm their significance due to the unacceptable loss of the historic character and layout of the ancillary simple outbuilding.

14. Some public views of the appeal building are screened by mature vegetation; however, views of the appeal building are still possible from adjoining land. Nonetheless, there is also no mechanism before me to demonstrate that screening would be retained in perpetuity. Even if there was, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether offsite views could be gained or not.
15. Overall, I have found harm to the significance of existing heritage assets. I appreciate appropriate materials could be controlled by planning condition, but this would not overcome the harm I have found in relation to the size and layout of the proposed works or the effect of the extent of the glazing.

Heritage balance

16. The proposal would fail to preserve the special interest of the appeal building and the contribution it makes to the group value shared with Evegate Millhouse and Evegate Mill. 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 significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
17. Given the scope of the works, I find the identified harm 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.
18. The Appellant would like to extend their property for home working and to create a space to store coats and boots. However, this would be a broadly private benefit and accordingly does not constitute a public benefit which would overcome the less than substantial harm identified.
19. The proposed floor levels would be level with existing and the appellant states their intention to comply with other regulations beyond planning. However, the compliance with the requirements of other regulatory regimes, in this case, would not overcome the identified harm.
20. Energy efficiency and thermal improvements would be incorporated into the proposed development. However, considering the emphasis of the Framework on sustainability, it is not unusual for works to be designed to high environmental standards. For these reasons, I give moderate positive weight to these benefits.
21. There is limited evidence to suggest that the proposed development would be reversible to the extent that it would not unacceptably harm the significance of the appeal building, this therefore carries limited weight. I have also been given no compelling evidence to show that the continued viable use of the appeal property would be dependent on this proposal or that its residential use would cease in its absence.

22. The appellant says the existing building fails to meet modern living standards, however, this is not robustly shown in evidence. This therefore carries negligible positive weight.
23. Tying these considerations together, the public benefits either alone or in combination would be insufficient to outweigh the great weight attached to the heritage harm identified. Accordingly, the proposal would fail to preserve the special historic interest of the appeal building.
24. Therefore the appeal proposal would not satisfy the requirements of the Act, the Framework and would conflict with the relevant provisions of Policy ENV13 of the Ashford Local Plan. These, amongst other things, look to preserve and enhance heritage assets.

Conclusion

25. The proposal would not be in accordance with the development plan and material considerations, including the Framework, do not indicate that the proposal should be determined other than in accordance with the development plan. For these reasons, and having considered all other matters raised, the appeal is dismissed.

N Praine

INSPECTOR