



Appeal Decision

Site visit made on 20 November 2018

by **Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 20th December 2018

Appeal Ref: APP/V2255/D/18/3206942

1 Westwood Court Cottages, Westwood Court, Sheldwich ME13 9QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr G Skinner against the decision of Swale Borough Council.
 - The application Ref 18/502639/FULL, dated 16 May 2018, was refused by notice dated 6 July 2018.
 - The development proposed is two new dormer windows.
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Decision

1. The appeal is allowed and planning permission is granted for two new dormer windows at 1 Westwood Court Cottages, Westwood Court, Sheldwich ME13 9QD in accordance with the terms of the application, Ref 18/502639/FULL, dated 16 May 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 18036GS-PP-E-(01)01, 18036GS-PP-E-(02)01, 18036GS-PP-E-(03)01, 18036GS-PP-E-(04)01, 18036GS-PP-E-(05)01, 18036GS-PP-S-(13)01, 18036GS-PP-S-(13)02, 18036GS-PP-S-(13)03.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the property and surrounding area.

Reasons

3. The appeal property forms one half of a semi-detached pair of cottages located in the countryside. The property has been extended significantly to the side and rear, which already results in an unbalanced relationship with its neighbour. There are few other buildings or properties nearby and so the cottages feel remote despite their proximity to the M2 motorway and large polytunnel site. The nearest property to the south-west across a large paddock includes dormer windows at the rear.

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Appeal Decision APP/V2255/D/18/3206942

4. The depth of the proposed dormers would be greater than half the depth of the roof slope, which would exceed the guidance in paragraph 5.5 of the Council's Supplementary Planning Guidance (SPG) *Designing an Extension – A Guide for Householders*. The height of the dormers would almost meet the ridge height of the existing roof and would be prominent in a relatively shallow roof slope.
5. However, the dormers would be subservient terms of their width and would maintain a reasonable gap above the eaves. As such, and given the existing extensions, they would not appear out of scale with the property or detract greatly from the form and symmetry of the pair of cottages. The pitched roof design and square proportions would ensure an appropriate appearance for the property and its rural location. Due to the remoteness of the properties, there would be little adverse effect on the surrounding area. It is not clear whether the dormers would only be as large as necessary to allow light into the roof space, but they would not be overly large or poorly designed.
6. In conclusion, whilst not in full accordance with the SPG, the development would have an acceptable effect on the character and appearance of the property and surrounding area. Thus, the development would accord with Policies CP4, DM11, DM14, DM16 and DM24 of the Swale Borough Local Plan 2017. Amongst other things, these policies require good design that is appropriate to its context and landscape area, with extensions permitted where they are of an appropriate scale, mass and appearance to the building and location.

Conclusion

7. For the above reasons, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Appeal Decisions APP/V2255/W/18/3196043, APP/V2255/Y/18/3196044

on its own merits, and it has not been shown that these decisions are sufficiently similar to the proposal before me.

17. In conclusion, the proposal in Appeal A would not provide a suitable location for housing having regard to national and local policy and the accessibility of services and facilities. Therefore, it would not accord with LP Policy ST3 as outlined above, or LP Policies ST1 or ST7 which, amongst other things, seek to maintain the vitality of rural communities, providing housing at appropriate locations. The Council also refers to conflict with LP Policy DM24, but this relates to the conservation and enhancement of the landscape. No harm to this aspect has been demonstrated in terms of the Appeal A proposal, so I have disregarded this policy.

Listed building

18. The listed Collington Farm House dates from the 16th century with later additions. It has architectural interest as a timber framed building with red brick and weatherboard cladding, and historic interest as the main building for a historic farmstead. These elements greatly contribute to the special interest of the listed building as well as its significance.
19. It is not disputed that the barn and outbuilding lie within the curtilage of the listed farm house. As they evidently date from before 1 July 1948, they can be regarded as part of the listed building for control purposes. It is important to stress that the two buildings are not listed in their own right. As such, their relevance in listed building terms lies in the contribution they make to the special interest of the farm house and its significance. The architectural and historic qualities of the two buildings have been noted above and they have an association with the farm house as part of a historic farmstead. Therefore, both buildings make a positive contribution to the special interest and significance of the listed farm house and form part of its setting.
20. The appeal proposal would be similar to the approved 2016 scheme in terms of the alterations to the two buildings. This includes the insertion of mezzanine floors into the barn and the reinstatement of a roof structure more akin to what might have existed historically. The works to the barn would retain much of the double height space. The existing openings would be utilised for natural lighting of the interior with relatively limited new openings for the bedrooms. It would repair historic fabric and remove later roof structures. The pitch of the roof would be broadly regular and sufficiently close to a catslide design. The Council states that the proposed concrete floor is not appropriate for a historic structure, but this could be amended to limecrete.
21. However, unlike the approved scheme, the appeal proposal would result in the two buildings no longer being ancillary to the listed farm house. The association would be eroded and so there would be adverse effects on the special interest and setting of the listed building, as well as harm to its significance. The harm would be less than substantial, but NPPF paragraph 196 requires such harm to a designated heritage asset to be weighed against the public benefits including, where appropriate, securing its optimum viable use.
22. As noted above, the appeal proposal has not shown that it would represent the optimum viable use. It would result in public benefits through the repair and re-use of the barn and outbuilding, including reinstatement of historic elements, but it has not been demonstrated that the proposal represents the

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4

Appeal Decisions APP/V2255/W/18/3196043, APP/V2255/Y/18/3196044

only way of achieving this outcome. The provision of an additional dwelling to local housing supply would be a modest public benefit. However, taken individually and collectively, the public benefits would not outweigh the harm.

23. In conclusion, the proposal in Appeal B would have an unacceptable effect on the special interest and setting of the listed farm house and result in harm to its significance without adequate public benefits contrary to the NPPF. In coming to this conclusion, I have had regard to LP Policies DM14 and DM32. Amongst other things, these policies seek to sustain the significance of heritage assets and preserve the special interest of listed buildings having regard to matters including the appropriateness of the proposed use.

Other Matters

24. Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) allows for the change of use of agricultural buildings to residential. However, it is not apparent from the evidence before me that the buildings meet the criteria set out in paragraph Q.1 of the GPDO. No permitted development rights appear to exist for the proposal and therefore I have given this matter little weight.

Conclusion

25. For the above reasons, and having had regard to all other matters raised, I conclude that both appeals should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR