

<b>Application Number</b>	17/00313/AS	
<b>Location</b>	Smeeth Hill House, Hythe Road, Smeeth, Ashford, Kent, TN25 6ST	
<b>Grid Reference</b>	07369/39484	
<b>Parish Council</b>	Smeeth	
<b>Ward</b>	Saxon Shore	
<b>Application Description</b>	Erection of single storey extension to utility room, removal of wall, and block up internal door opening	
<b>Applicant</b>	Mrs P Martin, Smeeth Hill House, Hythe Road, Smeeth, Ashford, Kent TN25 6ST	
<b>Agent</b>	Mr T Parrett, Rubicon Building Consultancy, One Step Beyond, Westfield Lane, Etchinghill, Folkestone, Kent CT18 8BT	
<b>Site Area</b>	0.05ha	
(a) 2/-	(b) X	(c) -

## Introduction

1. This application is reported to the Planning Committee as the agent remains in the employment of the Council on a consultancy basis.

## Site and Surroundings

2. For this section please refer to detail within the report for the associated planning application, the previous item on this agenda, reference 17/00312/AS. A site location plan is attached at annex 1.

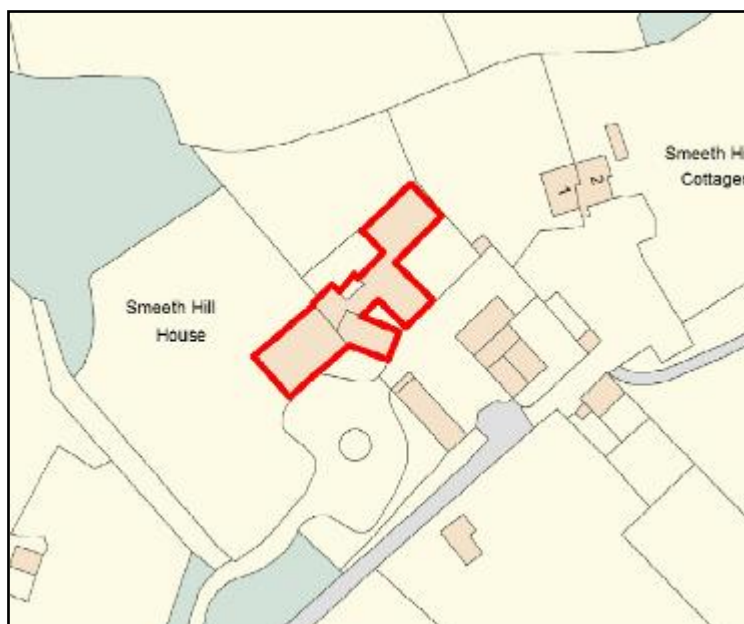


Figure 1 – Site location plan

## Proposal

- This application relates to listed building consent for the same development as described in the previous report item on this agenda reference 17/00312/AS. Please refer to this report for the details. In terms of alterations to the fabric of the building, the existing outside wall to the utility room is to be removed to open up the existing room into the proposed extension. An existing internal door opening is to be blocked up.

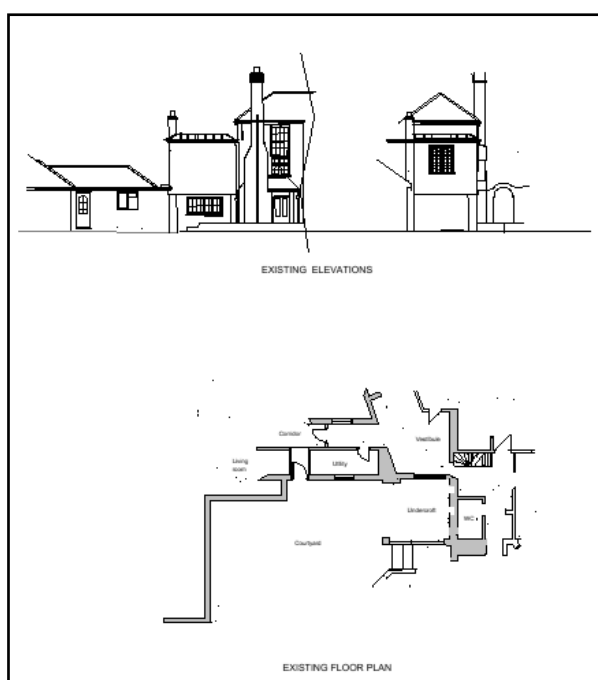


Figure 2 – Existing situation

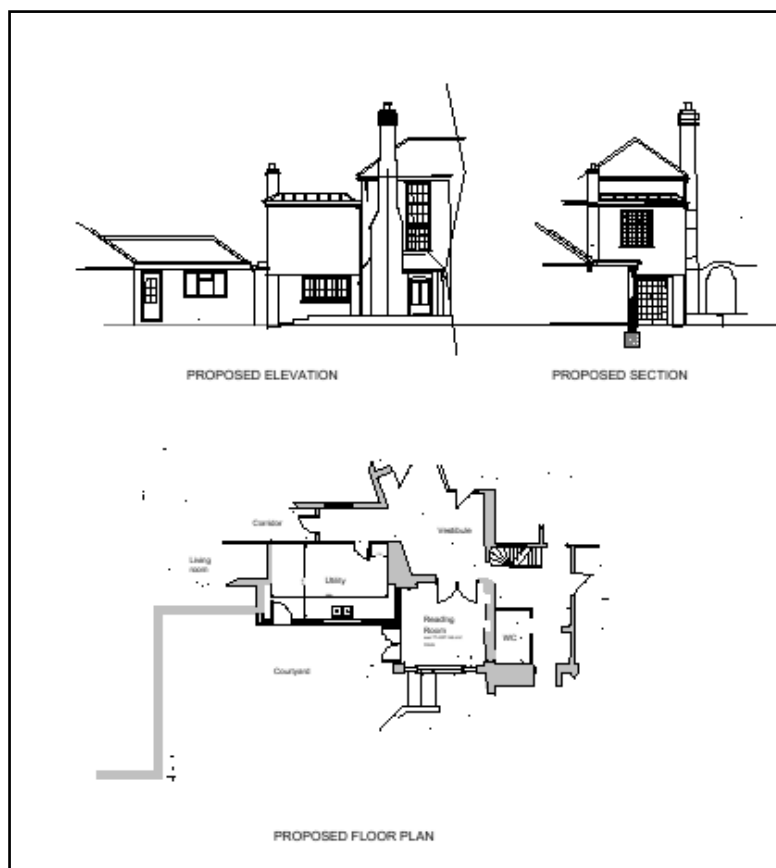


Figure 3 – Proposed situation

## Planning History

- 89/00881/AS - Erection of single-storey buildings to provide swimming pool enclosure, garage and utility rooms. Approved 04.07.89.
- 17/00020/AS - Enclosure of undercroft with new doors and window, re-landscaping of inner courtyard and demolition of section of courtyard wall. Approved 06.03.17.
- 17/00021/AS - Enclosure of undercroft with new doors and window, alterations to existing window opening to accommodate new doors, re-landscaping of inner courtyard and demolition of section of courtyard wall. Listed building consent 06.03.17.

## Consultations

**Ward Members:** The Ward Members, Councillors Howard and Martin, are not members of the Planning Committee.

**Neighbours:** 2 neighbouring properties consulted. No responses/representations received.

**Parish Council:** Smeeth Parish Council have no comments or objections.

## **Planning Policy**

4. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013 and the Wye Neighbourhood Plan 2015-30. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and is now closed. At present the policies in this emerging plan can be accorded little or no weight.
5. The relevant policies from the Development Plan relating to this application are as follows:-

### **Local Development Framework Core Strategy 2008**

CS1 – Guiding Principles for Sustainable Development and High Quality Design

CS9 – Design Quality

### **Local Plan to 2030**

SP1 – Strategic Objectives

SP6 – Promoting High Quality Design

ENV13 – Conservation and Enhancement of Heritage Assets

### **Government Advice**

#### National Planning Policy Framework (NPPF) 2012

6. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following section of the NPPF is relevant to this application:-

7. The general approach to considering applications for listed building consent and/or affecting listed buildings is set out in para. 132 of the NPPF which states, *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a grade II listed building, park or garden should be exceptional.”*

National Planning Policy Guidance (NPPG)

8. Paragraph 17 of the Planning Practice Guide states that *“Whether a proposal causes substantial harm will be a judgement for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases.... It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”*

## Assessment

9. The key issue for consideration with this application are:
- The impact on the character, appearance and integrity of the Grade II listed building and its setting
10. As noted in the report on the concurrent application for planning permission, the proposed single-storey extension is very modest in size and scale and essentially infills between existing projections of previous single-storey and two-storey additions to the original dwelling to the north-west facing (rear) elevation wall of the property. The proposed extension, as a result of its location, modest size and scale, and design, will have minimal visual impact on the character and appearance of the existing large detached Grade II listed dwelling and its setting.
11. The outside wall to the existing utility room which is to be removed to open up the existing room into the proposed extension is part of a modern red brick

wall to the existing single-storey extension, including swimming pool, to the north-eastern side of the dwelling. The existing internal door opening which is to be blocked up as part of the works is part of the previous extension to the property. The proposed demolition and internal works are minimal and there is no loss of any significant features of the building.

12. Conditions relating to the submission of joinery details for the new window and door to the extension and details of rainwater goods for the extension can be imposed on any grant of listed building consent. A further condition requiring the external surfacing materials to be used on the proposed to match those used on the existing building can also be imposed. With such conditions imposed on any grant of listed building consent it is not considered that there would be harm to the listed building.

## **Human Rights Issues**

13. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## **Working with the applicant**

14. In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

## **Conclusion**

15. The proposed single-storey extension, as a result of its location, modest size and scale, and design, will have minimal visual impact on the character and appearance of the existing large detached Grade II listed dwelling and its setting. The proposed demolition and internal works are minimal and there is no loss of any significant features of the building. Subject to the recommended conditions being imposed on any grant of listed building consent it is considered that there would be no harm to the listed building.
16. The proposed works are not considered to conflict with Government guidance in the NPPF with regards to protecting/conserving heritage assets.

## Recommendation

### (A) Permit

Subject to the following conditions and notes:

1. The works to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

**Reason:** To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The external materials and finishes to be used for the approved works shall be of the same size, colour, tone and texture as the respective materials used on the existing building, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To assimilate the new development with the existing in the interests of the character and appearance of the listed building.

3. No works shall take place until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:-
  - a) External joinery details for the new door and window, including framing, to the single-storey extension to a scale of 1:20;
  - b) New, replacement and/or relocated rainwater goods, including design, materials and colour finish, to a scale of 1:10;

**Reason:** To ensure the details are satisfactory and ensure the character and appearance and integrity of the listed building are maintained.

4. The works shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

**Reason:** To ensure the works are carried out in accordance with the approval and to ensure the quality of the works indicated on the approved plans is achieved in practice.

5. The works approved shall be made available for inspection, at a reasonable time, by the Local Planning Authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this consent).

**Reason:** In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

## **Note to Applicant**

### **Working with the Applicant**

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the application was acceptable as submitted and no further assistance was required.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

## **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/00313/AS.

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Annex 1 – Site Location Plan



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