

<b>Application Number</b>	PA/2022/2850
<b>Location</b>	Hegg Hill House, Smarden Bell Road, Smarden, Ashford, Kent TN27 8NX
<b>Parish Council</b>	Smarden
<b>Ward</b>	Weald North
<b>Application Description</b>	Amendment to omit the dressing room area and reposition the WC and basin to the previously approved proposal (20/00859/AS), installation of secondary glazing to two existing windows, false floor and extractor duct tile vent on external wall.
<b>Applicant</b>	Mr N & Mrs L Board
<b>Agent</b>	Mr Simon Hoyle

## Introduction

1. This application is reported to the Planning Committee because the Agent is married to a member of staff.

## Site and Surroundings

2. The application site is a Grade II Listed dwelling, dating from the C16 or earlier. It is a timber-framed building with the east front refaced with red brick in C18, the south front tile-hung. There is a late C19 addition to the rear.



**Figure 1: Site Location Plan**

3.



**Figure 2: Photograph showing the property**

## The Proposal

- This proposed scheme seeks an amendment to a previously approved Listed Building Consent application (20/00859/AS), to omit the dressing room area and reposition the WC and basin and installation of secondary glazing to two existing windows, false floor and extractor duct tile vent on external wall.

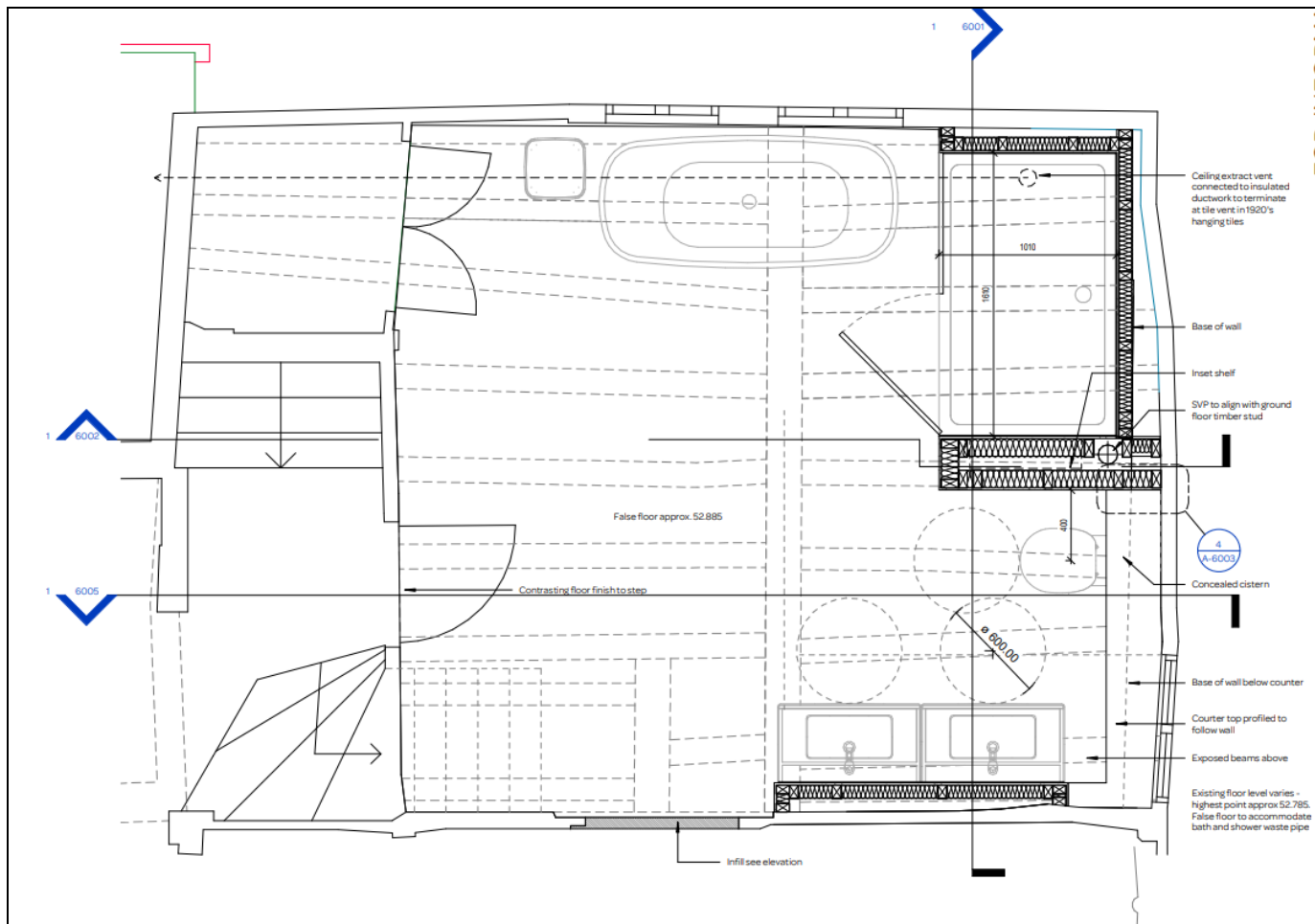
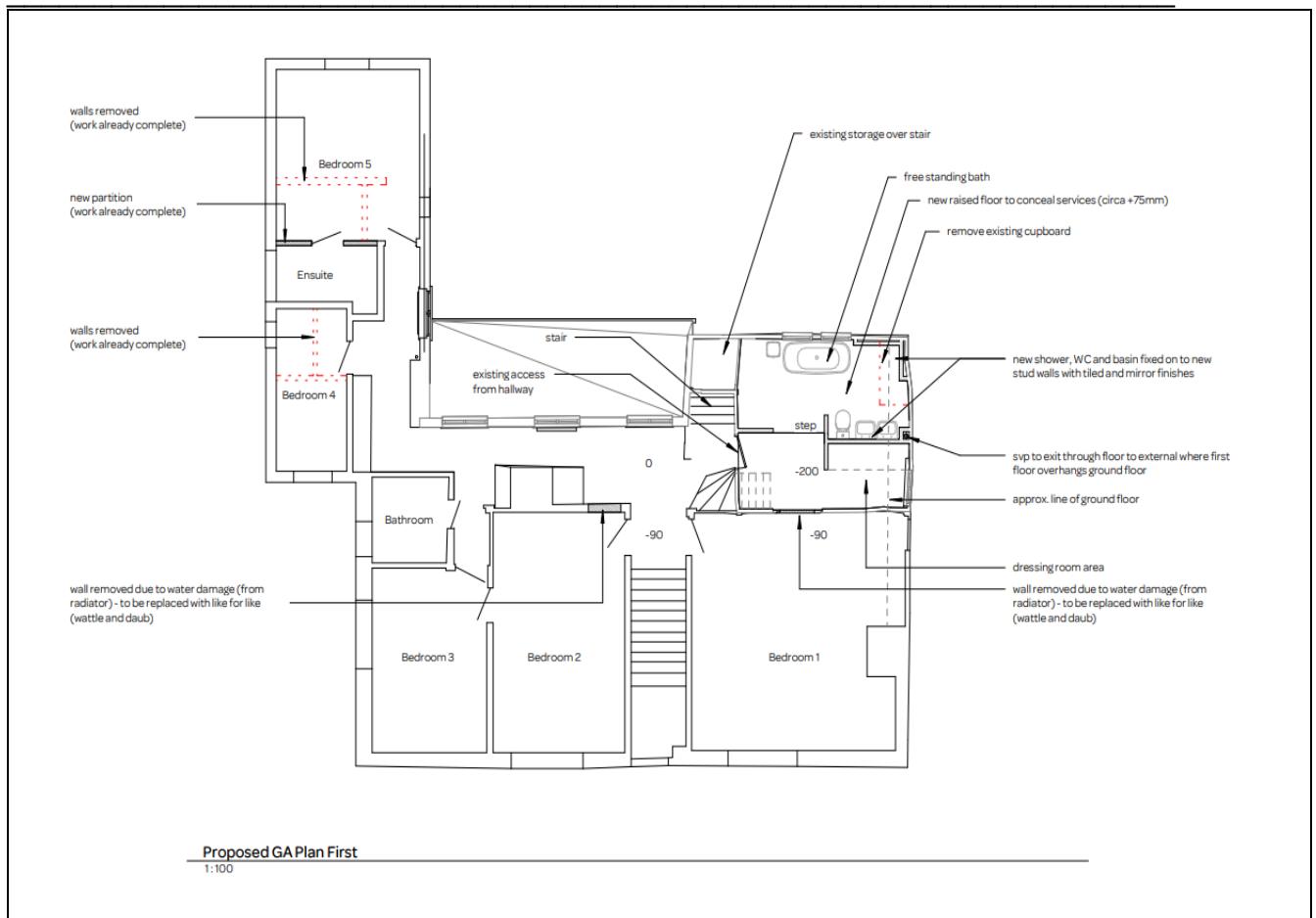
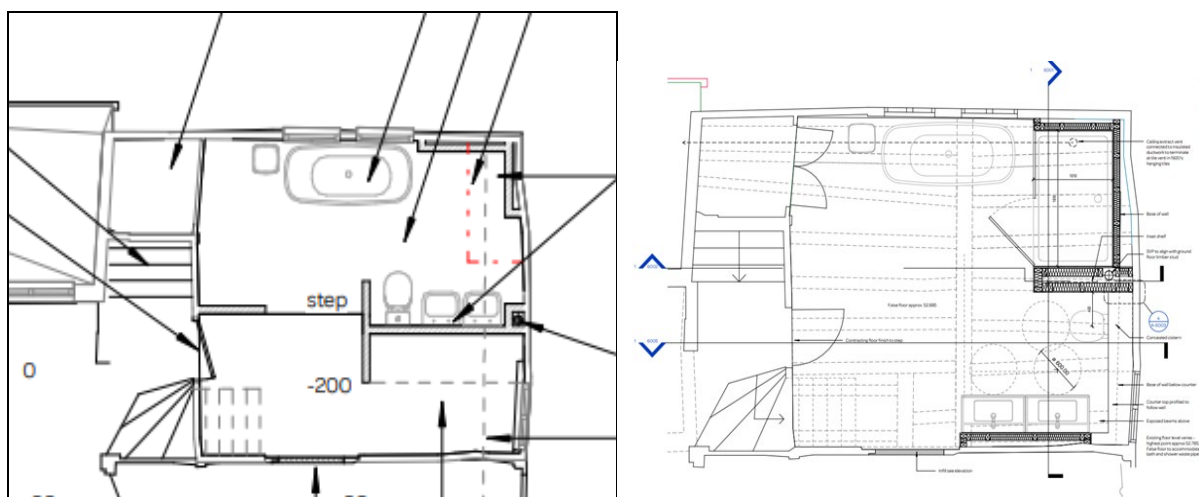


Figure 3: Proposed floor plan of bathroom



**Figure 4: First floor layout approved under Listed Building Consent ref: 20/00859/AS**



**Figure 5: Previously approved and proposed floor plans, side by side for comparison.**

## Planning History

4. 88/01883/AS New garage within site occupied by Hegg Hill House. Approved  
  
88/01884/AS Single storey double garage to replace dilapidated existing wooden garage. Approved  
  
15/01670/AS Proposed new vehicular access and gate to serve field. Approved  
  
20/00858/AS Extension of garage to form additional outbuilding. Approved  
  
20/00859/AS Insertion of French doors to north east elevation. Addition of partition walls and false floor to create en-suite and dressing area at first floor. Replacement of staircase at ground floor level. Approved

## Consultations

5. Six (6) neighbours were consulted and no representations have been received.

## Planning Policy Context

### The Development Plan

5. The current Development Plan for Ashford borough comprises the Local Plan 2030 (2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019), Boughton Aluph and Eastwell Neighbourhood Plan (2021), Egerton Neighbourhood Plan (2022) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
6. The relevant policies in the Local Plan relating to the application are as follows:-

### Ashford Local Plan to 2030

SP1 – Strategic Objectives  
SP6 – Promoting High Quality Design  
ENV13 – Conservation and Enhancement of Heritage Assets

7. The following are also material considerations in the determination of this application.

### **Supplementary Planning Guidance/Documents**

Smarden Parish Design Statement 2008

8. **National Guidance**

National Planning Policy Framework (NPPF): The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

16. Conserving and enhancing the historic environment

Planning Policy Guidance: In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

## **Assessment**

9. The main issues for consideration are:
- a) Principle of Development
  - b) Potential impact on the significance of the Listed building

### **Principle of Development**

10. *Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

11. Listed Building Consent was granted in 2020 for *Insertion of French doors to north east elevation. Addition of partition walls and false floor to create ensuite and dressing area at first floor. Replacement of staircase at ground floor level.* This application seeks to amend the approved scheme in relation to the layout of the first floor bathroom.

### **Impact on the significance of the Listed building.**

12. The previously approved scheme involved the erection of partitions within the room to create a bathroom and dressing room areas and to attach the W.C and sink to. This amended scheme does not seek to subdivide the room, but does include the erection of partition walls: one to enclose the shower cubicle to protect the timber framing and to conceal the pipework and the other section to attach the sinks to.
13. The area where the new bathroom is to be located is in the original C16 part of the Hegg Hill House House and there are a large number of exposed areas of the original frame visible within the room.
14. There can often be some concern that the creation of a shower cubicle in close proximity to exposed timber framing could damage the historic fabric. However, in this instance the shower cubical has been designed to allow air flow behind it and in practical terms will direct moisture to the extractor fan and will also prevent any direct contact of water and detergents onto the timbers. Likewise, the partition wall for the sinks will allow air flow behind it and will prevent direct contact of water and detergents onto the timbers. Detailed drawings of the design of both partitions have been submitted as part of the application and no further conditions are required.

### **Working with the Applicant**

15. In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

### **Human Rights Issues**

16. Human rights issues relevant to this application were taken into account in the assessment of this proposal. 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).

## Conclusion

17. The proposed amended scheme is acceptable in Listed building terms and complies with Policy and the NPPF test and is therefore recommended for approval.

## Recommendation

### Grant Consent

- A. Subject to conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.

### Conditions.

- 1 The development to which this consent relates, excluding the reinstatement of the sections of wall to bedrooms 1 and 2, as shown on the approved plans, 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 development 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 development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

### Informative

#### 1. Working with the Applicant

In accordance with paragraph 38 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,
- In this instance, the applicant/agent was updated of any issues after the initial site visit, was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.

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 PA/2022/2850)

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