

Application Number	PA/2024/0356
Location	Bennetts, 56 The Street, Appledore, TN26 2AE
Grid Reference	95593 / 29517
Parish Council	Appledore
Ward	Isle of Oxney
Application Description	Addition of a new shower room within a bedroom, including a new external soil stack on the north elevation and extractor fan
Applicant	Mrs Elizabeth Mitchell
Agent	N/A
Site Area	0.4 ha

Introduction

1. This application is reported to the Planning Committee because the applicant is a member of staff of Ashford Borough Council.

Site and Surroundings

2. The application site comprises a Grade II listed property within the Appledore Conservation Area. The site is on the western side of The Street with the former Methodist Church as the neighbour to the south. The access, garage and parking associated with the dwelling are located to the south of the property. The neighbour to the north is a new-build detached property granted planning permission in 2010.
3. The property was extended by virtue of a planning permission and a listed building consent granted in 1991 to provide the extended kitchen and upper floor bedroom.

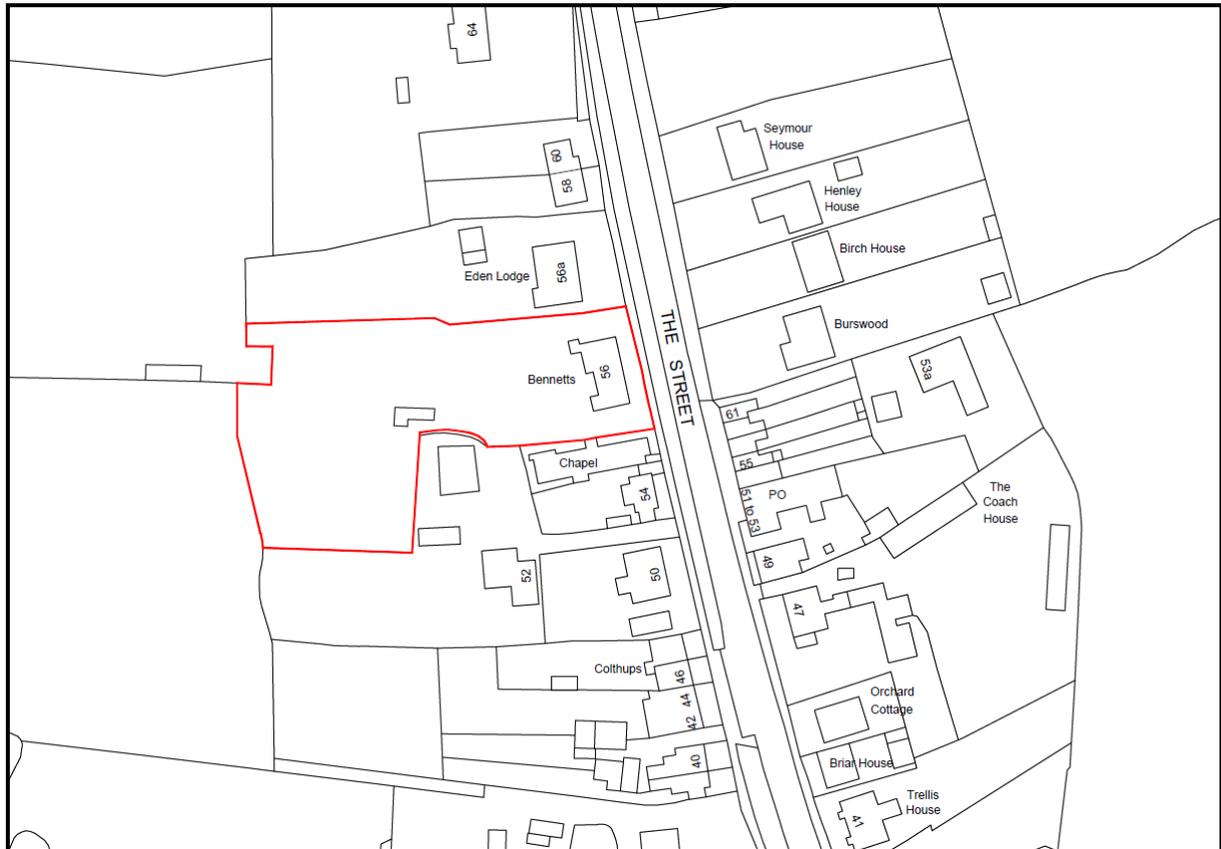


Figure 1 Site Location Plan

Proposal

4. Listed building consent is sought for the creation of an en-suite bathroom in the first floor bedroom complete with partition wall, fittings and an external soil stack on the north elevation of the property, all of which would relate to the modern extension(s) to the property. Planning permission for the proposed soil stack is also for consideration under application reference PA/2024/0340.

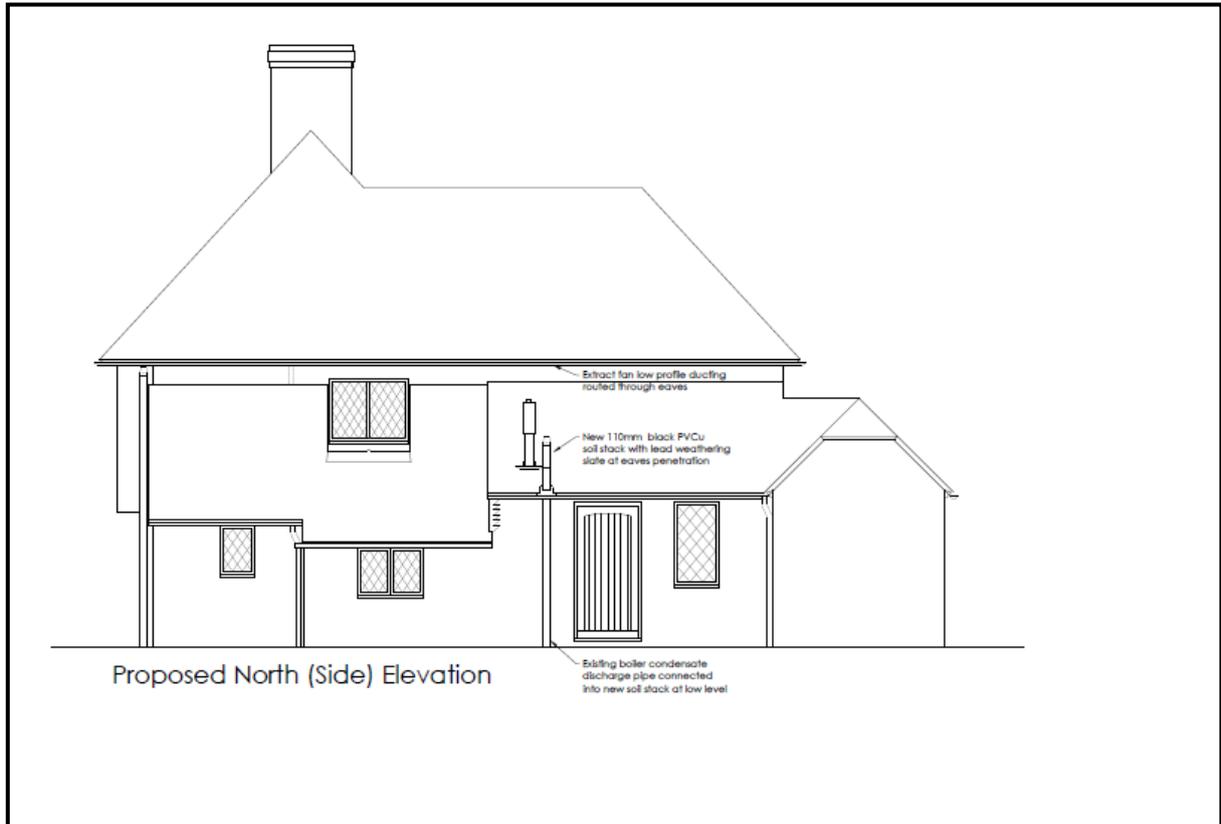


Figure 2 Proposed North Elevation

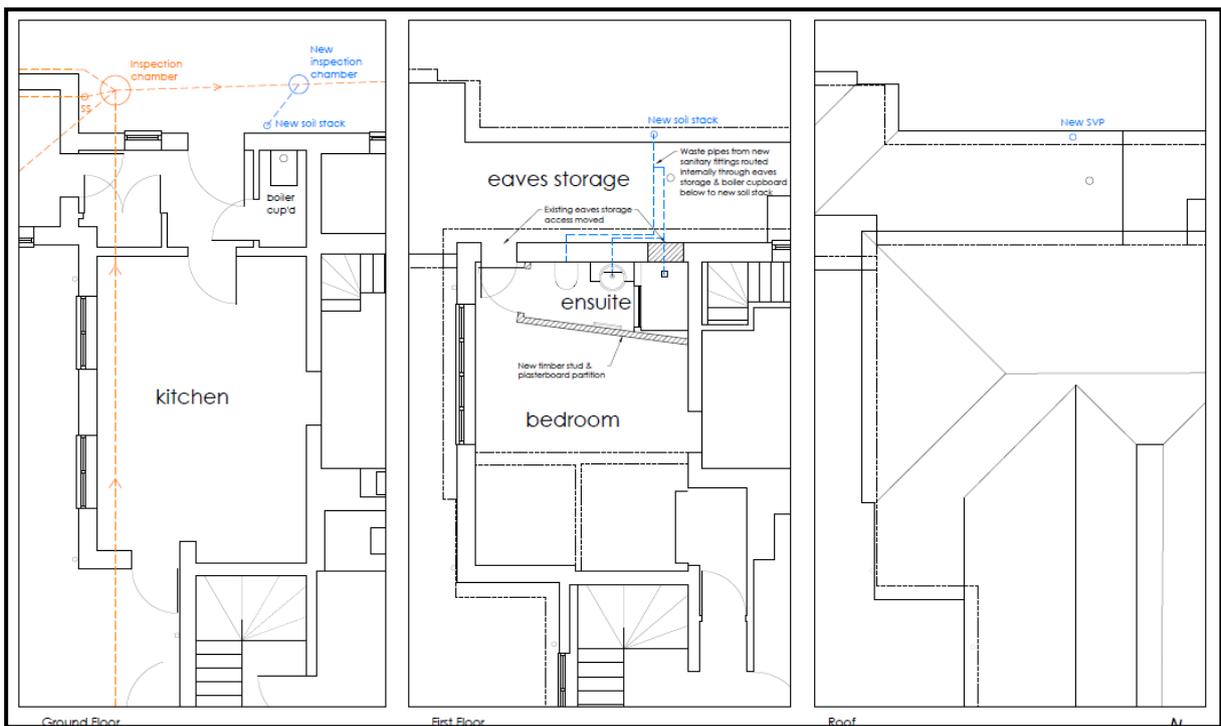


Figure 2 Proposed Floor Plans

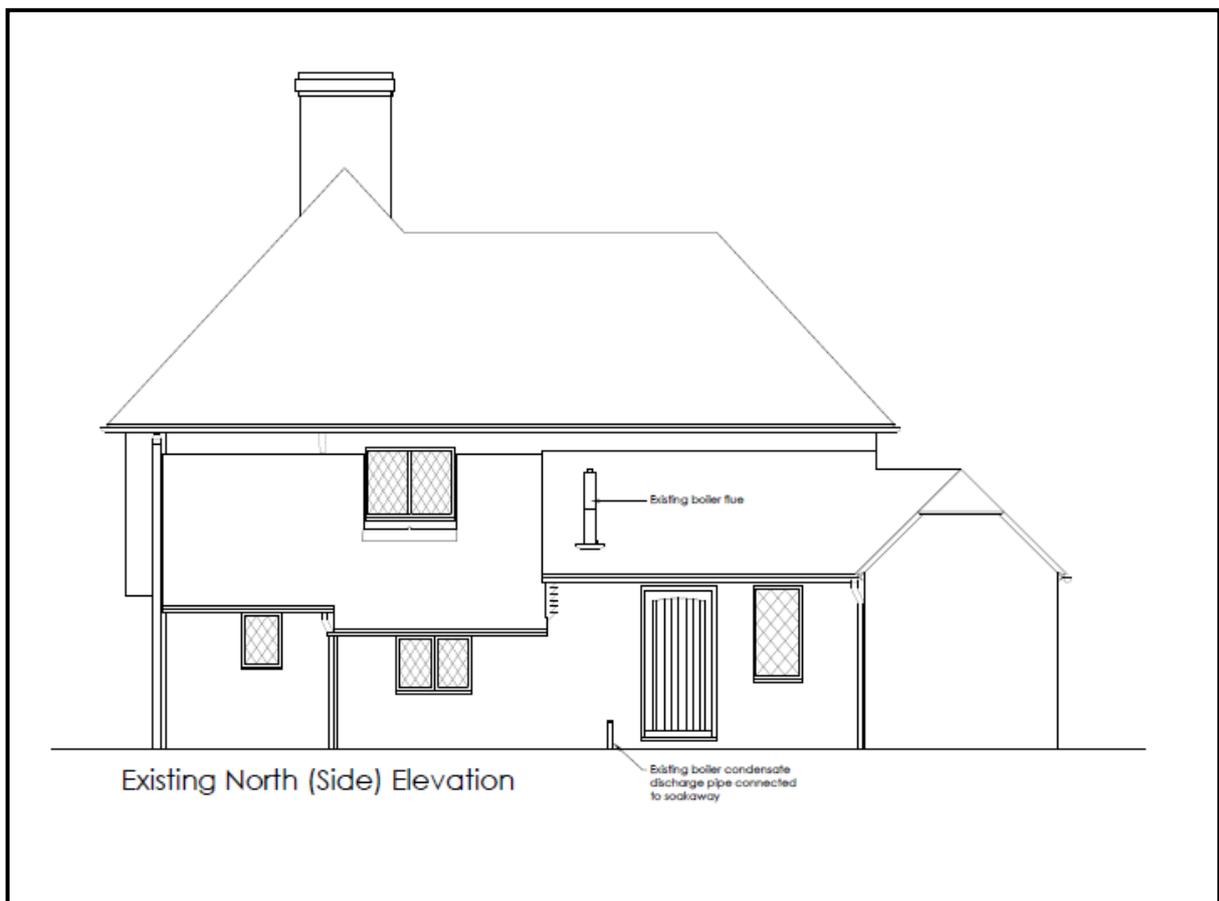
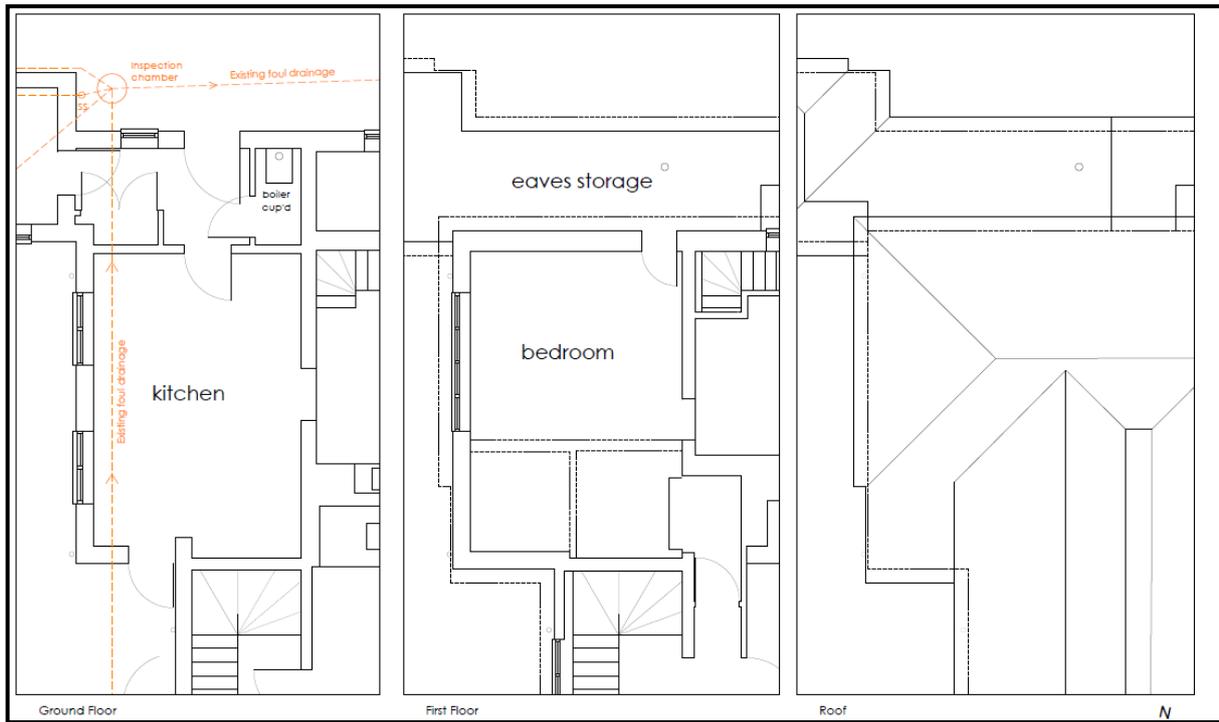


Figure 4 Existing North Elevation

Planning History

5. The following planning history is relevant to the application;-
- 91/01335/AS - Extension and alterations – planning permission granted 19/11/1991.
 - 91/01336/AS - Extension and alterations – listed building consent granted 19/11/1991.
 - 21/01592/AS Erection of 2-bay garage with log store; erection of greenhouse; erection of a gazebo – planning permission granted 18/11/2021.

Consultations

6. **Ward Member(s):** no response received.
7. **Appledore Parish Council:** no response received.
8. **Neighbours:** 5 neighbours consulted, as well as a press advert placed and a site notice put up. No letters of representation received.

Planning Policy

9. The Development Plan for Ashford Borough comprises;-
- (i) the Ashford Local Plan 2030 (adopted February 2019),
 - (ii) the Chilmington Green AAP (adopted July 2013),
 - (iii) the Wye Neighbourhood Plan (adopted March 2016),
 - (iv) the Pluckley Neighbourhood Plan (adopted April 2017),
 - (v) the Rolvenden Neighbourhood Plan (adopted December 2019),
 - (vi) the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021),
 - (vii) the Egerton Neighbourhood Plan (adopted March 2022),
 - (viii) the Charing Neighbourhood Plan (adopted July 2023),
 - (ix) the Kent Minerals and Waste Local Plan (2016) & the Kent Minerals and Waste Early Partial Review (2020).
10. Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:
- (i) Tenterden Neighbourhood Plan currently at Examination,
 - (ii) Pluckley Neighbourhood Plan Review currently at Examination,
 - (iii) Aldington & Bonnington Neighbourhood Plan currently at Examination.

11. The relevant policies from the Development Plan relating to this application are as follows:-

SP1 – Strategic Objectives

SP6 – Promoting High Quality Design

ENV13 - Conservation and Enhancement of Heritage Assets

Government Advice

National Planning Policy Framework (NPPF) 2023

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 NPPF. The National Planning Policy Framework (NPPF) was introduced in March 2012 and last updated in 2023. It is supported by the Planning Practice Guidance (PPG). The Historic England Good Practice Advice notes provide information to assist in implementing the policies in the NPPF and the guidance in the PPG. The NPPF states that less weight should be given to the policies above if they are in conflict with the NPPF. The following paragraphs and sections of the NPPF are relevant to this application:-

Paragraph 200 (Proposals Affecting Heritage Assets).

The general approach to considering applications is set out in paragraphs 205 and 206 of the NPPF, and 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”

Paragraph 18 of the Planning Practice Guide states that *“Whether a proposal causes substantial harm will be a judgment 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.”

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.

National Planning Policy Guidance (NPPG)

Assessment

12. The key area for consideration in the assessment of this application is:
 - Visual Amenity/Heritage

Visual Amenity/Heritage

13. 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.
14. In terms of the impact of the proposed development on the character and appearance of the listed building and its setting, it should be noted that the National Planning Policy Framework (NPPF) requires Local Planning Authorities to 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. This is supported by Local Plan policy ENV13 (‘Conservation and Enhancement of Heritage Assets’).

15. Supporting paragraph 9.125 to policy ENV13 states that: “Ashford Borough is home to a significant number of listed buildings, statutorily recognised as being of particular special architectural or historic interest. They are a valuable and irreplaceable resource for the Borough and the NPPF advises they should be conserved in a manner appropriate to their significance (paragraph 126)”.
16. The partition wall and associated works to provide the en-suite bathroom would be in the modern part of the building as a result of the 1991 consents / permissions and, as such, would not result in the loss of any historic fabric and would not harm the significance of the main listed building. The existing materials for the walls (and eaves) are chip board/plasterboard.
17. The location of the proposed soil stack would be to the northern elevation of the listed building. The stack itself would be 0.77m taller than the single storey eaves level of the associated existing modern extension roof and would sit on the lower part of the said roof, below the existing boiler flue. Given the very limited addition to the property by way of the soil stack, the development as a whole would not be harmful to the character, appearance and significance of the listed building.
18. Conditions have been imposed for materials in terms of the soil stack and ventilation details in order to ensure that the soil stack and extractor fan would respect the character and appearance of the listed building.
19. In light of the above, the development would result in less than substantial harm to the heritage assets, where any such harm would be outweighed by the social benefit through providing suitable and improved accommodation.

Human Rights Issues

20. I have 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

21. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

22. The proposed works would represent sympathetic additions / alterations to the listed building which would not detrimentally impact the significance of the listed building. Therefore, the proposed development would comply with the requirements of Development Plan policy and Central Government guidance and I recommend that listed building consent permission is granted subject to the conditions listed.

Recommendation

Permit

Subject to the following Conditions and Notes:

(with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).

1. 3-year standard condition
2. Approved plans
3. Details to be submitted and approved for the soil stack and ventilation

Note to Applicant

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.

In this instance 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 website (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/2024/0356)

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