

<b>Application Number</b>	18/00957/AS
<b>Location</b>	Wagon and Horses, Faversham Road, Charing, Ashford, TN27 0NR
<b>Grid Reference</b>	598084 151235
<b>Parish Council</b>	Charing
<b>Ward</b>	Charing
<b>Application Description</b>	Proposed rear two storey extension
<b>Applicant</b>	Mr R Homewood, The Wagon and Horses
<b>Agent</b>	Mr T Harmer, JPD Architecture Ltd, Tower Farm House. Faversham Road Ashford TN25 4HT
<b>Site Area</b>	0.3669 ha

## Introduction

1. This application is reported to the Planning Committee because it is the listed building consent application associated with application 18/00956/AS which is being reported to the Planning Committee at the request of the Ward Member Cllr Clarkson

## Site and Surroundings

2. The application site comprise the Wagon and Horses Public House which is located to the east of Faversham Road in the parish of Charing. Falling outside of the built up confines of the village the site is in the countryside and the North Downs AONB and lies adjacent to Longbeech Wood, a designated ancient woodland subject to TPO No 11 of 2006.
3. Extended to the rear in the late 1980's, the public house is a historic grade II listed building originally dating back to the 18th Century. The building is two storey with a colour washed front and has a plain tiled roof. The front elevation comprises three casements with cambered heads to the ground floor and a simple door case. The front elevation also comprises three windows at first floor.

4. The main entrance to the building is on the north elevation accessed from a large car park. Beyond the car park is a mown paddock which is used as a campsite in associated with the business. To the south of the building is a landscaped pub garden and external patio.



Figure 1: Site Location

## Proposal

5. Listed building consent is sought for the erection of two storey extension to provide accommodation for an on-site manager. The accommodation proposed would comprise a self-contained unit encompassing a living kitchen/ area on the ground floor and two bedrooms (one ensuite) a study, and bathroom on the second floor.

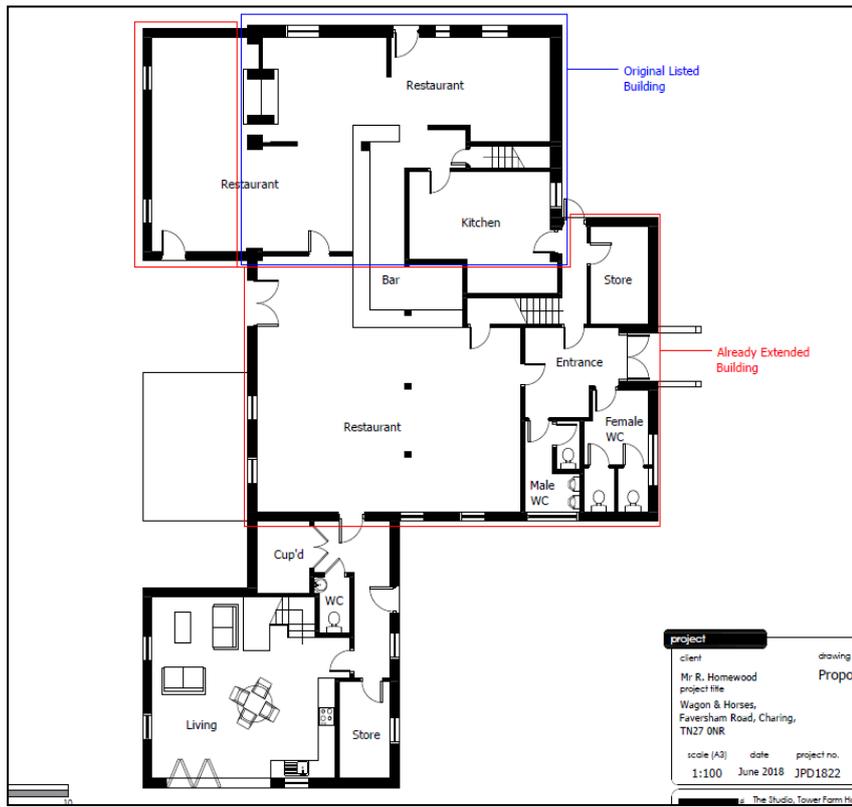


Figure 2: Proposed Groundfloor Plan

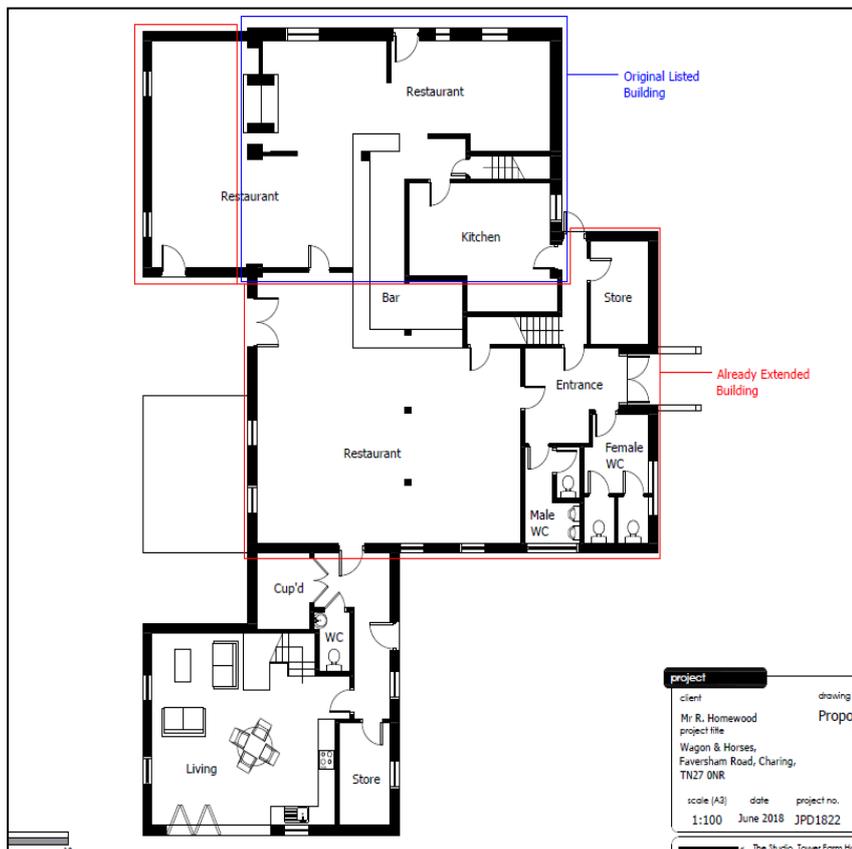


Figure 5: Proposed First Floorplan



**Figure 2: Proposed Elevations**



**Figure 3: Proposed Elevations**

## Planning History

6. See Report for 18/00956/AS.

## Consultations

**Ward Members:** The Ward Member is a member of the Planning Committee

**Charing Parish:** Support

**Neighbours:** One neighbour was consulted. No letters of representation were received.

## Planning Policy

7. 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, the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016-30.
8. The new Ashford Local Plan to 2030 was submitted for examination in December 2017 and has been found sound by the Local Plan Inspectors in their report (January 2019) subject to a series of modifications. Consequently, in the context of paragraph 48 of the NPPF, prior to its adoption by the Council, the Plan's policies (as recommended to be modified by the Inspectors) should be given very significant weight in decision-making.
9. The relevant policies from the Development Plan relating to this application are as follows:-

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

CS1            Guiding Principles

CS9            Design Quality

### **Ashford Local Plan to 2030 (Submission Version December 2017)**

SP1            Strategic Objectives

SP6            Promoting High Quality Design

ENV13 Conservation and Enhancement of Heritage Assets

### **Government Advice**

#### **National Planning Policy Framework (NPPF) 2018**

10. 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 sections of the NPPF are relevant to this application:-
11. Paragraph 48 states in relation to the stages of preparing a Local Plan that:  
  
“Local planning authorities may give weight to relevant policies in emerging plans according to:  
  
a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);  
  
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and  
  
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”
12. The general approach to considering Listed Building Consent applications is set out in paras.193 and 194 of the NPPF, and states:
13. 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.
14. 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.
15. The NPPF 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.
16. Paragraph 17 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.
17. 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.”

National Planning Policy Guidance (NPPG)

## **Assessment**

18. The Wagon and Horses is a grade II listed building. Extended to the rear in the late 1980’s, the building originally dates back to the 18th Century. Its isolated position on the main route between Faversham and Charing suggests the building is a former coaching inn. The building fronts the road and occupies a prominent position within the AONB and is surrounded by Ancient woodland with a mature garden to the south and paddock to the north.
19. The original building was a modest pitched roof building which has been extended, most notably in 1989 with a substantial two storey extension to the

- rear to provide a restaurant and additional living space. This application seeks to add on a further extension.
20. Extending off the back of the existing, the proposed extension is a large two storey addition which would provide a two/three storey dwelling.
  21. Section 66 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 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”.
  22. Policy CS1 of the Core Strategy sets out the Council's key planning objectives which include the conservation and enhancement of the historic environment. Policies CS1 and CS9 of the Core Strategy also require good design.
  23. Policy ENV13 of the Emerging Ashford Local Plan 2030 advises that development will not be permitted where it will cause loss or substantial harm to the significance of heritage assets or their settings unless it can be demonstrated that substantial benefits will be delivered that outweigh the harm or loss. The policy also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, or where a non-designated heritage asset is likely to be impacted, harm will be weighed against the public benefits of the proposal, including securing the optimum viable use of the heritage asset.
  24. This is consistent with advice contained within the NPPF which states that heritage assets should be conserved in a manner appropriate to their significance. Paragraph 190 requires LPA's to identify and assess the particular significance of any heritage asset and take this into account when considering the impact of a proposal, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal. Significance can be harmed or lost through alterations to heritage assets or development within its setting and any harm requires clear and convincing justification. Paragraphs 195 and 196 of the NPPF set out the tests against which to assess a proposal that would result in substantial harm/total loss of or less than substantial harm to a heritage asset.
  25. New extensions should not dominate historic buildings. The existing pub is a well-proportioned building which has been previously extended. Whilst the previous extension is large, it is well designed and is sympathetic to the historic character and form of the original building. Consequently, the building has retained its strong architectural and historic form and proportions. Any further significant extensions to this building have the potential to overwhelm and seriously harm what remains of the original host building. This proposal

would result in an elongated modern addition which due to its size, bulk and mass would dominate and overwhelm the original building, significantly disrupting the form of the building and eroding what remains of its historic planform to the detriment of its historic character and appearance.

26. Reading the proposed extension in conjunction with the adjoining listed building, there would be a significant mismatch in design features which would be inconsistent and unsympathetic to the original structure. The low ridge height and high eaves, proposed barn hipped roof and through eaves gabled dormer with timber and render infill to the rear are architectural features incongruous with the host building.
27. No specific details of the internal physical works have been provided but, given the proposed extension would extend off an existing extension, it is not considered there would be any significant or unacceptable loss of historic fabric. Notwithstanding this the harm caused to the historic character and appearance of the building as a result of the extension is considered to be demonstrable and unjustified. Particularly considering, a detached outbuilding with annexe accommodation may be able to be provided with potentially less harm.
28. Considering the proposal against emerging policy ENV13 and the NPPF it is considered that this proposal would cause less than substantial harm. Paragraph 196 of the NPPF states that where a proposed development would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
29. In this case the public benefits of permitting this proposal, include the creation of one two/three bedroom dwelling and the provision of onsite staff accommodation. 28.The NPPF requires the Local Planning Authority to maintain a 5 year housing land supply. The contribution that one dwelling would make to maintaining this is insignificant. In addition, the application is not supported by any robust evidence to demonstrate that the viability of the business would be compromised in the absence of the accommodation that is being proposed. Furthermore, even if it were, it would not necessarily follow that the application were acceptable. Consequently, the modest benefits associated with the proposal are not considered to outweigh the harm that would occur to the listed building.
30. Due to the distance maintained between the proposed garage and the Listed Building, its subservient size, and the fact that the garage would not interrupt any prominent or important views of the listed building, the garage is not considered to adversely impact upon the setting of the listed building.

31. In conclusion the proposal would result in a disproportionate, unbalanced and intrusive extension which would significantly disrupt the overall shape and form of the listed building, failing to preserve or enhance its historic character and appearance. The proposal would cause significant demonstrable harm to the special character and historic interest of the building, a designated heritage asset contrary to advice contained with the NPPF and the Development Plan.

## **Human Rights Issues**

32. 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**

33. 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**

34. Paragraph 14 of the NPPF planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the framework, taken as a whole; or specific policies in the framework indicate development should be restricted.
35. Policies in the Development Plan and the NPPF support the sustainable growth of business within the rural area. Balanced against this however is the impact upon the proposed extension would have upon the historic character and appearance of the building designated heritage asset,.
36. The proposal would result in a visually incongruous, disproportionate, unbalanced extension which would fail to preserve or enhance the historic character and appearance of the listed building, and would cause significant harm to the special character and historic interest of the building as a result.

37. Whilst the proposal would contribute to maintaining the Council's 5 year housing land supply, and would support the business by providing accommodation for an on-site manager, the contribution to supply would be insignificant and it has not been demonstrated that the viability of the business would be compromised in the absence of the accommodation being provided. Consequently, it is considered that the harm caused by this proposed development significantly and demonstrably outweighs the benefits of granting planning permission.
38. The proposal fails to comply with the Development Plan policy as whole and the guidance contained in the NPPF and for the reasons set out above, it is therefore recommended that the application is refused.

## **Recommendation**

### **Refuse**

#### **on the following grounds:**

1. The proposed development would be contrary to policies CS1 and CS9 of the Local Development Framework Core Strategy (2008), policies SP1, SP6 and ENV13 of the emerging Ashford Local Plan 2030 Submission Document, the and to Government guidance contained in the National Planning Policy Framework and is therefore considered development harmful to interests of acknowledged planning importance for the following reasons:

Due to its layout, size, bulk, mass and overall design, the proposed extension to the listed building to provide a dwelling would result in a poorly proportioned and unsympathetic form of development that would depart from the historic form, plan form and appearance of the existing building, and cumulatively with the existing extension would overwhelm the original host building. For these reasons the extension would appear as an incongruous, and visually intrusive form of development that would cause demonstrable harm to the character and significance of the Listed Building.

## **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 18/00957/AS)

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Annex 1



# Ashford Borough Council



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