



Delegated Report

Planning Application

Planning Application No: 20260250

Location: Abbey Farm Barn, Church Street, Higham, Rochester ME3 7LS

Description: Application for Listed Building Consent; Installation of Wood-Burning Stove with a twin-wall insulated flue system terminating through the rear roof slope and formation of a discreet combustion air vent.

Applicant: Mr Sam French

Site Visit Date: 1 May 2026

Submitted Documents/Plans

Application form
Heritage Impact Assessment
Wood stove specification
Elevation photo
Block Plan
Site location plan
Drawing no. A101 (proposed floor plan)
Drawing no. A102 (proposed elevations)
Drawing no. A103 (existing floor plan)
Drawing no. A104 (existing elevations)
Drawing no. A105 (proposed sections)

Relevant Planning History

20220538	Installation of a 10.88kw ground mounted PV array.	Permitted	23.08.2022
20201350	Application to remove condition 3 attached to planning permission reference number 20140546 for the; conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion, to allow ; the converted cowshed to be used as a separate dwelling.	Application Refused	10.02.2021
20191161	Application for the removal of condition 3 attached to planning	Application Refused	17.01.2020

permission reference number 20140546 for the conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion; to allow the annexe to be converted to a residential dwelling.

20170079	Application for a lawful Development Certificate in respect of the storage of the existing static home on the north eastern corner of the site	Certificate Granted	26.04.2017
20140547	Application for Listed Building Consent for conversion of existing cowshed to a residential annexe to incorporate living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion.	Permitted	05.08.2014
20140546	Conversion of existing cowshed to a residential annexe incorporating living area, bedroom area, kitchen area and bathroom, together with ancillary works in association with the proposal as an annexe to the existing main barn residential conversion.	Permitted	30.04.2015
19990784	Application for Listed Building consent for the conversion of 5 bay Kentish barn into a three bedroom residential dwelling; conversion of cart shed into garage/store and demolition of 3 lean-to sheds within curtilage.	Permitted	02.11.2000
19990783	Conversion of five bay Kentish barn into a three bedroom residential dwelling with conversion of the cart shed into a detached garage/store.	Permitted	02.11.2000
19920264	Use of farm as livery yard & riding school, erection of stables, conversion of cattle shed to indoor riding school, erection of sand	Application Refused, appeal dismissed	06.11.1992

school, construction of car park,
use of land as a paddock,
construction of 3no. passing bays
in Church St., & use part of Higham
Marshes for exercising horses.

19791034	Erection of agricultural building for housing cattle	31.12.1979
19490243	Replacing of old barn by new store Permitted	04.11.1949

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Policy for Listed Buildings
- TC3 – Development Affecting Conservation Areas

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Church Street, Higham Rural Conservation Area Appraisal (2017).

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Conservation Officer

The proposed external flue, by reason of its excessive height and prominent siting on the roof slope, would result in an unduly conspicuous and visually intrusive addition that would fail to preserve the character and appearance of the listed building. The submitted details indicate that the flue would project approximately 2.5 metres above the roof as a consequence of the low penetration point through the roof slope. Insufficient information has been provided to demonstrate whether the flue could be routed internally and terminate within 600mm of the ridge line, thereby significantly reducing its external height. In particular, no sectional drawing has been submitted showing the internal offsets and routing necessary to achieve a less visually intrusive solution.

Furthermore, the proposed stainless steel finish would introduce an incongruous and visually prominent feature that would be harmful to the historic character and significance of the listed building. A matt black finish would be more appropriate in reducing visual impact.

The application also fails to provide satisfactory details of the proposed ventilation arrangement. The submitted scheme does not demonstrate that the ventilation ducting would be located through the brick plinth or as low as practicably possible, nor does it provide details of an appropriate traditional-style grille, such as a black-painted cast iron grille, to minimise visual impact.

Accordingly, the Local Planning Authority is not satisfied that the proposal would preserve the special architectural and historic interest of the listed building and therefore conflicts with the statutory duty under Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and with the relevant policies of the Development Plan and the National Planning Policy Framework relating to the conservation of heritage assets.

In response to this the applicant submitted revised plans showing the flue routed internally to a higher point and the lower positioning of the ventilation duct finished with a traditional black painted cast iron grille. The Conservation Officer has responded as follows:

The amendments to the flue arrangement are a welcome improvement. By routing the flue internally and

shifting the roof penetration point closer to the ridge, the external projection has been successfully reduced from 2.5 metres to approximately 1.4 metres. This significantly minimises its visual impact on the roof slope and ensures it is far less intrusive to the character of the listed building. Additionally, the low-level ventilation duct through the brick plinth, finished with a traditional black painted cast iron grille, is a discreet and sympathetic solution.

Recommendation

I have **no objections** to the proposal and support its approval, subject to the following safeguarding condition:

- **Flue Finish Condition:** The external section of the flue and its terminal must be finished in a matt black colour (or enamel painted/powder-coated black) and must **not** be a shiny or reflective stainless steel.

Reason: To ensure the external fixtures blend into the roofscape and remain entirely sympathetic to the historic character and appearance of the listed building.

Neighbouring properties

The application has been advertised by site notice and press notice. No letters of representation have been received. The overall consultation period expired on 22.05.2026.

Officer's Analysis

Proposal

This application seeks listed building consent for the installation of Wood-Burning Stove with a twin-wall insulated flue system terminating through the rear roof slope and formation of a discreet combustion air vent.

The proposed flue will be located to the rear of the building and will project approx. 1.4m from the roof slope. It will be approx. 200mm in diameter. The supporting specification states that the flue will run vertically from the application and exit the roof between existing structural beams.

The works will involve:

- Installation of a freestanding stove.
- Surface-mounted stone hearth.
- Single roof penetration for flue.
- Discreet air brick installation.

The flue will be located on the rear roof slope and will be finished in black.

Design, Character, Appearance and Impact on Grade II Listed Building and Conservation Area

The application site is a Grade II listed building. The official listing states that it was built around the 16th or 17th century. It is an aisled building with Kent half-hips to each end of the roof which has been converted to a dwelling. It is weather-boarded and peg-tiled. There are four modest brown-stained close-placed new windows in the south gable facing towards Church Street and four larger new windows on the west side facing the public footpath to the marshes. At the time of the listing inspection the barn still retained doors to the rear wagon entry on this elevation. The building has been given a gabled wagon entry canopy on its east side.

Paragraph 207 of the National Planning Policy Framework 2024 requires supporting information from the applicant to describe the significance of the building and the contribution (if any) the proposed development would make to the buildings setting. The level of detail should be proportionate to the assets' importance

and no more than is sufficient to understand the potential impact of the proposal on their significance. A Heritage Impact Assessment has been submitted with the application and surmises that the proposed works would preserve the special architectural and historic interest of the building and will support the continued viable residential use of the listed building. It also states that the works will be reversible in principle.

Section 209 of the National Planning Policy Framework (2024) states that “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.” It is therefore imperative that this application is assessed on the basis of the building in its historic context and as a significant heritage asset and that any previous harm caused to it is not a reason for changes to be made to it.

Paragraph 210 of the NPPF states that ‘In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Policy CS20 states that proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough’s heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset’s conservation value will be commensurate with the importance and significance of the asset.

Policy TC2 states that any alterations or extensions to listed buildings or affecting the setting of listed buildings will need to be sympathetic in terms of massing, scale, appearance and materials.

Policy TC3 relates to conservation areas and expects development to make a positive contribution to the conservation area. The Council will expect applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.

No changes are being made to the exterior of the property save for the installation of the flue and air brick. Amended details have been provided regarding the air brick and now show this at a lower level and to be fitted with a black painted cast iron grille which is acceptable.

The flue runs internally and exits the roof at a much higher point than originally proposed which is a welcome alteration. Subject to a condition relating to the colour of the flue and its terminal to be matt black the proposals are considered to accord with policies CS20 of the Gravesham Core Strategy 2014, policies TC2 and TC3 of the Gravesham Local Plan 1994 and Section 16 of the National Planning Policy Framework 2024.

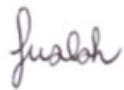
Recommendation:

Permit

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
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Signed:		Signed:	
Dated:	22 June 2026	Dated:	24 June 2026