



Appeal Decision

Site visit made on 2 June 2026

by Owen Woodward MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2026

Appeal Ref: 6002726

1 Church Cottage, Wrotham Road, Meopham, DA13 0AB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr & Mrs Lay against Gravesham Borough Council.
 - The application Ref is 20250477.
 - The works proposed are the replacement of all windows and erection of open front porch.
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Decision

1. The appeal is allowed and listed building consent is granted insofar as it relates to the erection of the open front porch and windows FW3, FW4, FW5, GW3 and GW4 only at 1 Church Cottage, Meopham, DA13 0AB in accordance with the terms of the application Ref 20250477 and subject to the following conditions:
 - 1) The works authorised by this consent shall commence not later than 3 years from the date of this consent.
 - 2) No development shall take place until details and samples of all materials and finishes to be used in the external faces of the porch and windows have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with drawing nos 05429_MH01 and 0549_MH02 Rev A, as they relate to the proposed porch and windows FW3, FW4, FW5, GW3 and GW4 only.

Preliminary Matters

2. The Council altered the description of development which was agreed by the appellant. I have therefore adopted the description as set out by the Council.
3. Because the appeal relates to a refusal to grant listed building consent and the appeal site is within a conservation area, I have had special regard to Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The appeal relates to the non-determination by the Council of the listed building consent application within the prescribed period. As part of its submissions for the appeal, the Council has confirmed that, if it had determined the application, then it would have refused it because the proposed windows, by virtue of their materials

and design, would be unauthentic, incongruous and unsympathetic alterations which would cause less than substantial harm to the Grade II listed building 'Church Cottages'¹ and to the Meopham Street Conservation Area (the CA). It was also found that the less than substantial harm would not be overcome by the public benefits of the proposal.

5. In addition, whilst no objection was raised by the Council with regard to the main porch, that was with the proviso that it exactly match the existing porch to No 2 Church Cottage. This element is contested by the appellant.
6. Therefore, the main issues are:
 - whether or not the proposal preserves the listed building 'or any features of special architectural or historic interest which it possesses; and,
 - whether or not the proposal would preserve or enhance the character or appearance of the CA.

Reasons

Listed building

Significance

7. The listed building is both the appeal site, No 1, and also No 2 Church Cottages, which together are semi-detached dwellings forming one building. It is from the 17th Century. No 1 has a circa 2006 extension² to the side, beyond the original side wall and chimney stack. Insofar as is relevant to the appeal proposal, the primary drivers of significance relate to its windows, as set out below.
8. Prior to the current windows, the evidence³ is that as of 1999 the property had multi-pane, cast iron casement windows at ground floor level. At first floor level the windows were white timber-framed casement windows with single panes. Although not necessarily the original windows for the property, they were likely historic. The current windows to No 1 are double-glazed, thick timber framed casements. These are non-original, although likely the same sizes and openings as the originals. To the first floor they are similar, other than not being white and potentially being double rather than single-glazed, to the pre-existing windows. However, to the ground floor, they not only are of a different material but have a different aesthetic, with noticeably thicker frames and larger panes of glass. The three windows in the modern extension are as built with the extension.
9. No evidence has been provided of permission having been granted for the current windows to the main part of the property. There is no time limit to enforcement for listed buildings. Nevertheless, however so they were installed, the current windows to the historic part of the house do not make a positive contribution to the significance of the building, as they do not contain historic fabric and do not reflect the design of the pre-existing windows, particularly at ground floor level. Those within the modern extension also make a limited contribution to the significance of the building because they are within the extension and do not contain historic fabric.

¹ List entry number 1054716

² Application refs 20000485 and 20000484, granted 17 October 2000

³ See, for example, the list description from 1983 and more recent photographs

10. No 2 has been almost entirely re-built, with new windows. To the rear they are larger than those to No 1 with larger panes of glass. To the front they are larger to 1st floor level, although approximately the same size to ground floor, and include detailing to create the appearance of several small panes. They are all metal framed. Therefore, to varying degrees, these windows do not reflect the historic fenestration of the property. The building as a whole detracts from the significance of the listed building because it has been substantially altered and mostly demolished and re-built.

Assessment

Windows

11. It is proposed to retain the timber frames to the existing windows and to replace the windows themselves with double-glazed, casement metal framed units. This is to all windows in No 1 but not the two existing doors to the side and rear, which would remain as existing.
12. The loss of the existing windows would only result in the loss of non-historic fabric which does not fully reflect the architectural history of the building, as set out above. This would not, therefore, result in any material harm to the architectural and historic interest of the building. However, that the windows to the historic part of the building are unauthorised is pertinent. They do not form the baseline for assessment. To allow replacement of those windows with a further set of windows which also do not reflect the architectural history of the building would be to compound the harm to the significance of the building.
13. In this regard, although I do not take issue with their materials, given that since at least 1983 the property has had a mixture of both timber framed and metal framed windows, the ground floor windows to the front elevation of the historic part of the house⁴ would have panes which are too large in comparison to those which are known to have existed as of 1999. Replacement of those windows would, therefore, cause harm. To the rear at ground floor level, no evidence has been provided of the likely appearance of the pre-existing windows. However, it is certainly possible that they would have reflected that as used to the front elevation at ground floor. It has therefore not been satisfactorily demonstrated that the replacement of those windows⁵ would not also cause harm, for the same reason.
14. The windows to the first floor⁶ have been timber framed with single panes of glass either since 1983 or as built with the new extension. However, they were potentially previously single-glazed, as opposed to the proposed double-glazed replacement windows. It has also, therefore, not been satisfactorily demonstrated that those proposed replacement windows would not also cause harm.
15. However, the windows to the modern extension⁷ have likely been double-glazed since originally installed, and in any event, by being of a different style of windows to those to the historic core of the building also creates legibility that the extension is a modern addition. The proposed replacement windows on the extension, on a nearly like-for-like basis, would not, therefore, cause harm to the building.

⁴ Windows GW1 and GW2

⁵ Windows GW5 and GW6

⁶ Windows FW1, FW2 and FW6

⁷ Windows FW3, FW4, FW5, GW3 and GW4

16. Irrespective of the Council's current position on whether or not the works at No 2 would be acceptable if applied for today, it is a fact that they were approved and have now largely been built out. The current appearance of the property is therefore the correct baseline for assessment. However, I do not consider the windows at No 2 to provide precedent because they have been installed as part of the re-building of the house and are on a part of the listed building which actively detracts from its significance, as set out above. I also place very limited weight on the need for consistency with No 2. Although it is a semi-detached property within the listed building, it is now an obviously newly constructed building, whereas the appeal property clearly retains its historic core.

Porch

17. The proposed porch would be a lightweight addition to the property. It would be a clearly modern addition that would be legible as such. Because it's mostly open nature it would not unacceptably dominate, obscure or overwhelm the historic front elevation of the property. Because it would be a lightweight structure it would not involve meaningful loss of historic fabric as part of fixing it to the front elevation. The porch does not need to be the same size as that to No 2 because the properties have become clearly distinguished since No 2 was re-built. It would therefore be an acceptable addition to the property which would not harm its architectural or historic interest.

Overall

18. For the reasons set out above, the proposed porch would not cause harm to the special architectural and historic interest of the listed building. These works are therefore acceptable in this respect. In addition, the proposed replacement windows within the modern extension would also be acceptable. However, due to the inappropriately large panes of glass at ground floor level, and the use of double-glazing throughout, the proposed replacement windows would erode the special architectural and historic interest of the listed building and harm its significance⁸, thus failing to satisfy the requirements of the Act, Paragraph 210 of the Framework and development plan policies insofar as relevant. This would be to the lower level of less than substantial harm.

Conservation area

19. The CA is a small area which surrounds St John the Baptist's Church. There are several other buildings in the CA but the overall character and appearance is one of large properties and buildings set in spacious grounds, and with significant areas of open space and a fair degree of woodland and other tree cover. Its significance primarily derives from a mixture of this open and verdant setting and the architectural quality and historic interest of many of the buildings. As a listed building and one which is in a prominent location on the main road in the CA, the cottages, including the appeal property, positively contribute to the significance of the CA, albeit this is partially eroded by the works that have taken place to No 2 and the unauthorised works to some of the windows at No 1, as set out above.

⁸ Or, for those windows to the rear elevation at ground floor level it has not satisfactorily been demonstrated that the works would not erode the special architectural and historic interest of the listed building and harm its significance

20. Where the proposed windows would erode the architectural and historic interest of the listed building, as set out in detail above, they would also harm the character and appearance of the CA, particularly the two windows to the front elevation at ground floor level in a prominent position along the road. Therefore, whilst the windows to the modern extension and the porch would be acceptable, the other elements of the proposal therefore would harm the character and appearance of the CA, thus failing to satisfy the requirements of the Act, Paragraph 210 of the Framework and development plan policies insofar as relevant. I place this level of harm at the lower level of less than substantial harm.

Other Matters

21. I note that the porch might require planning permission as well as listed building consent because it would be within two metres of the site boundary. However, this is not before me and I have solely considered the appeal against refusal of listed building consent.

Planning Balance

22. In accordance with Paragraph 212 of the Framework, I place great weight on the conservation of designated heritage assets. Although less than substantial, I place considerable importance and weight on the harm that I have identified to the listed building. As set out at Paragraph 215 of the Framework, where there is less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
23. In this case, the windows to be replaced which would cause harm are already double-glazed units. However, for consistency, the baseline should be considered against the pre-existing single-glazed units, as set out above. The proposal would, therefore, likely result in some thermal and acoustic performance improvement. Such gains, though, can also be achieved by other methods, such as secondary glazing. This is also a largely private benefit. In addition, no substantiated evidence has been provided that double-glazed and/or new windows are required to maintain the use of the property as a house. Therefore, the harm to the significance of the designated heritage asset that I have identified clearly outweighs the limited public benefits.
24. With regard to the porch and the windows that I have found to be acceptable, there would be no harm. These works are also clearly severable, both physically and functionally, from the windows where I have found harm. As set out above, there would be no harm from inconsistency of window types that this would create because they would be within the modern extension. I therefore find these parts of the proposal, in isolation, to be acceptable.

Conditions

25. In addition to the standard time limit condition, a condition specifying the relevant drawings provides certainty. A further condition is necessary to control the detail of the proposed porch and relevant windows to ensure that the detailed design and materials would not harm the architectural and historic interest of the listed building or the character and appearance of the CA.

Conclusion

26. For the reasons above, the appeal is partly allowed only insofar as it relates to the proposed porch and the windows in the modern extension, and is dismissed for all other proposed works.

Owen Woodward
INSPECTOR