



Appeal Decision

Site visit made on 6 October 2015

by **Robert J Jackson BA MPhil DMS MRTPI MCSI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: **29 October 2015**

Appeal Ref: APP/V2255/D/15/3129417

New Barns, Box Lane, Painters Forstal, Kent ME13 0RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs S Hughes against the decision of Swale Borough Council.
 - The application Ref 15/502153/FULL, dated 11 March 2015, was refused by notice dated 15 June 2015.
 - The development proposed is side and rear extension with loft conversion and new garage with workshop.
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Decision

1. The appeal is dismissed insofar as it relates to the side and rear extension with loft conversion. The appeal is allowed insofar as it relates to a new garage and workshop and planning permission is granted for a new garage and workshop at New Barns, Box Lane, Painters Forstal, Kent ME13 0RU in accordance with the terms of the application, Ref 15/502153/FULL, dated 11 March 2015, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans, so far as relevant to that part of the development hereby permitted: Proposed Block Plan on drawing HGH-005-01 Revision A, Sheet 1 of 2, Site Plan on drawing HGH-0115-01 Revision A, Sheet 2 of 2, and HGH-0115-02 Revision A.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site lies in the Kent Downs Area of Outstanding Natural Beauty (AONB). It is an attractive rural area where a sense of tranquillity pervades.
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There are various buildings in the area, including dwellings, agricultural and equestrian buildings but the appeal site is in open countryside. The appeal site lies at the top of a slope with the land dropping away to the south-east. There are a number of small outbuildings to the north of the dwelling.

4. Included within these outbuildings, there is an existing garage and workshop which is proposed to be demolished and replaced with a double car port and domestic workshop. The Council does not object to this replacement and given the location away from the top of the slope, and the relatively small nature of the building which is clearly designed as an ancillary structure, I concur with this view and intend to allow the appeal in this respect.
5. However, this is not the case as regards the proposed extensions to the dwelling. New Barns has been extended a number of times over the years and is already considerably larger than when originally constructed. The proposal here would substantially enlarge the property further, particularly towards the top of the slope, and would mean that it is more prominent in the overall landscape.
6. The addition of a full gable in the rear elevation would emphasise the height, mass and bulk of the property, notwithstanding that the actual height of the building would not change, as would the installation of a number of rooflights into the roof planes. While there is currently a pair of rooflights in the rear elevation, as there is no access to an upper level shown on the plans from the ground floor, it would appear that this is to ancillary accommodation. The current rooflights are seen as small features, and do not give the property the appearance of having more than one storey. If permitted, these proposals would change the overall character and appearance of the property significantly to being of two storeys.
7. The property is currently largely obscured from view from Box Lane and this would not change. However, this does not make the proposal acceptable as the substantial extension would adversely affect the landscape and scenic beauty of the AONB the protection of which should be given great weight.
8. Overall, the proposed extension to the dwelling, taking into account those extensions previously undertaken, would go significantly beyond a modest extension to the property and would not be of appropriate scale and mass, detrimentally affecting the scenic quality of both the local area and the wider landscape forming part of the AONB. As such it would be contrary to policies RC4, E6 and E19 of the Swale Borough Local Plan 2008. In addition it would be contrary to Local Plan Policy E9, where priority is the long-term conservation and enhancement of natural beauty within the AONB, and would be contrary to paragraph 115 of the National Planning Policy Framework.

Conditions

9. As I am allowing that part of the proposal relating to the outbuilding, apart from the normal time limit condition, a condition specifying those plans or parts of plans showing the development permitted is required in the interests of certainty. As the materials for the building are somewhat different from the dwelling, in order to protect the scenic beauty of the area details should be submitted and approved by the local planning authority.

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Conclusion

10. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part.

Robert J Jackson

INSPECTOR