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## Appeal Decision

Site visit made on 20 June 2016

by D J Board BSc (Hons) MA MRTPI

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

Decision date: 7 July 2016

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**Appeal Ref: APP/V2255/D/16/3146106**

**Woodsend Farm, South Street, Boughton under Blean, Kent, ME13 9NS**

- 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 Simon Harding against the decision of Swale Borough Council.
  - The application Ref 15/508550/FULL, dated 19 October 2015, was refused by notice dated 17 December 2015.
  - The development proposed is proposed vehicular access.
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### Decision

1. The appeal is allowed and planning permission is granted for proposed vehicular access at Woodsend Farm, South Street, Boughton under Blean, Kent, ME13 9NS in accordance with the terms of the application, Ref 15/508550/FULL, dated 19 October 2015 in accordance with the condition in Annex A.

### Main Issue

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

### Reasons

3. The proposal is to provide an additional access point for the property Woodsend Farm House. It would be taken from the lane located to the south side of the dwelling and its garden area and would allow access to its garage and stables. There is no dispute that the access would require earthworks and the removal of landscaping along the lane. Further there were no objections from the Local Highway Authority on the technical aspects of the formation of the access.
4. The site is within the countryside where policy E6 of the Swale Borough Local Plan (LP) is applicable. The aim and purpose of the policy is to direct development such that within the countryside it is restricted to that which is necessary to maintain the needs of the countryside. The pre-ambles identify community, social and economic needs. The policy itself allows for the modest extension of dwellings. Within this context, subject to other considerations, it is not unreasonable to consider the provision of an access to a dwelling.
5. The Council's report identifies that the site is not within but close to a Special Landscape Area. I understand that the addition of the access would change the appearance of this part of the lane. However, within the wider area the roads and lanes are interspersed with access points. Further the use of an

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access point for a single dwelling and any associated ancillary activity with its stables as detailed in the planning statement would not be significant in terms of traffic generation. As such, subject to the provision of a robust planting scheme, I do not consider that the provision of an access point at the rear of the plot for the dwelling would be harmful.

6. I therefore conclude that the proposal would not harm the character and appearance of the area. It would not be in conflict with policies E1, E6, E9, E10 or RC7 of the Swale Borough Local Plan, which amongst other things seek to protect the quality of the landscape, seek to protect to enhance the natural and built environment, be well sited and of an appropriate scale, design and appearance with a high standard of landscaping.

#### **Conditions**

7. The Council has suggested conditions. I have considered these in light of the Planning Practice Guide and the tests of the Framework. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to define the plans with which the scheme should accord. I also consider that a condition to agree a scheme of hard and soft landscaping would be necessary in this case. The requirements for the provision of the gravel finish and sight lines would be covered by hard landscaping submission and the need to accord with the submitted plans. Therefore no further conditions are necessary.

#### **Conclusion**

8. For the above reasons and having regard to all other matters raised I conclude that the appeal should be allowed.

*D J Board*

INSPECTOR

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**Annex A – Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1411/PP002; 1411/003; 1411/002; 1411/001 A.
- 3) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
  - i) a statement setting out the design objectives and how these will be delivered;
  - ii) earthworks showing existing and proposed finished levels or contours;
  - iii) means of enclosure and retaining structures;
  - iv) hard surfacing materials;
  - v) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be maintained in accordance with an approved scheme of management and/or maintenance.