
Appeal Decision

Site visit made on 20 December 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 19th January 2017

Appeal Ref: APP/H2265/W/16/3155144

Jane's Farm, Hatham Green Lane, Stansted, Sevenoaks, Kent TN15 7PL

- 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 Levi King against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/16/01061/FL, dated 29 March 2016, was refused by notice dated 31 May 2016.
 - The development proposed is conversion of existing building to four bedroom dwelling (as per confirmed prior approval TM/15/02493/PDVAR) plus the provision of front and rear dormers and front gable feature.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host building and the surrounding area.

Reasons

3. The building to which this proposal relates is adjacent and to the east of Jane's Farm, which is occupied by a large detached house built to an Elizabethan design and situated on the corner of the junction of Hatham Green Lane with Ash Lane. Immediately east of the appeal site is a dark timber-clad building, within a farmyard, which is in residential use. There is a scattering of dwellings beyond this but the character of the area is rural and that of mainly undeveloped countryside.
 4. The appeal building is set back off Hatham Green Lane, behind a roadside hedge and small orchard, within its own plot of land and is served by a separate drive at the entrance to Jane's Farm. Although quite recently built, the building has the appearance of a traditional barn, with a tiled roof, redbrick walls with flint infill panels and a gabled central cart entrance, with timber doors.
 5. The Council has previously given notice, on 28 July 2015, that its prior approval is not required for the proposed change of use of this agricultural building to a dwellinghouse, as permitted under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPD0).
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6. The Council has agreed that this proposal would not be inappropriate development within the Metropolitan Green Belt. However, Green Belt policy is not the issue in this case and the proposal still requires to be assessed against other relevant policies in the development plan. The development plan in this case comprises the Tonbridge and Malling Borough Council Core Strategy (TMBCS), adopted September 2007, and the Managing Development and the Environment Development Plan Document (MDEDPD), adopted April 2010.
7. The proposal includes six quite large dormer windows, four to the rear and two to the front. There would be a substantial hipped-roofed front projection, to the height of the main roof ridge, replacing the more traditionally-designed central cart door. The scheme would introduce a number of unsympathetically-designed windows, fitted with leaded lights, out of keeping with the present agricultural character of the building. These changes would combine to alter the simple and quite pleasing rural character of the existing building to create a dwelling of a less well-balanced design and more elaborate and suburban appearance.
8. Whilst the question of design is a subjective matter, I am in agreement with the Council that this scheme would be unsympathetic. The use of flint is not an issue in this regard and the features on the adjacent building to the east, which appear of a more straight-forward, contemporary design, do not alter my view that this particular proposal would harm the appearance of the existing building and be out of keeping with the rural character of this location.
9. The scheme would, as a consequence, conflict with the aims of TMBCS policies CP1 and CP24, in respect of requiring a quality of design which respects the character of the countryside, and those of MDEDPD Policy DC1, which seek that the re-use of rural buildings be in keeping with the character of the area. Although these policies pre-date the National Planning Policy Framework they are consistent with its principles to always seek to secure high quality design, recognising the intrinsic character and beauty of the countryside.

Conclusion

10. For the reasons set out, and having had regard to all further matters raised, I conclude therefore that this appeal should be dismissed.

Jonathan Price

INSPECTOR