
Appeal Decision

Site visit made on 10 September 2019

by Neil Smith BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2019

Appeal Ref: APP/E2205/W/19/3230763

The Greens Business Centre, Cheesemans Green Lane, Kingsnorth, Kent TN25 7HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr F Ruby against the decision of Ashford Borough Council.
 - The application Ref 18/01097/AS, dated 23 July 2018, was refused by notice dated 8 February 2019.
 - The development proposed is an outline application for the erection of one dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was submitted in outline. The application forms clarify that all matters are reserved apart from access.
3. The Council have written confirming that since the determination of the application, the Ashford Local Plan 2030 has been adopted. I have determined this appeal on this basis.

Main Issue

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

Reason

5. The appeal site is a square shaped plot of open land. The site sits behind a length of mature vegetation and a drainage ditch which form the frontage onto Cheesemans Green Lane. To the north east sits a cluster of three dwellings and Cheesemans Green Farm lies beyond these dwellings. There is a post and rail fence separating the site from the open fields to the south and west. The Greens Business Centre lies a short distance beyond the field to the west. It comprises a single storey commercial building, some ancillary buildings and open storage areas and gains access via a single lane road. The appeal site is therefore not isolated.
6. I saw from my site visit that development has commenced on the Finberry development area which is located a short distance to the north of the appeal site adjacent to Cheesemans Green Farm. The immediate surrounding area is one of open and uninterrupted countryside.

7. The indicative drawings show that the detached dwelling would be two-storeys in height and would sit almost centrally within the site. It would be set back from the road with a single-storey detached double garage and driveway to the front and access would be in the northern corner of the site. To the sides and rear would be garden area.
8. I find that the proposed access to the site would unacceptably break the continuous mature vegetation which runs along the frontage of the site, which forms an attractive boundary. I also find that the proposed dwelling, by virtue of its size, scale and location, would significantly change the appearance of the site. I conclude that the proposal represents a significant form of built development on open land and would not maintain the intrinsic character and beauty of the open countryside.
9. I note that the indicative drawings show that a landscape buffer would be installed to the south and west which abuts the open fields. The appellant also states that the occupation of the dwelling would enable his existing business to be better managed with improved safety and security. None of these matters alter or outweigh my conclusion on the main issue.
10. The appellant has drawn my attention to two appeal decisions. Whilst I noted that the Inspectors concluded that the proposals were in accessible locations the effects on the character and appearance of the area were not identical to this appeal. Therefore, these appeal decisions have had little bearing on my findings.
11. For the reasons above the proposal conflicts Policies SP1, SP6, HOU5 and ENV3a of the adopted Ashford Local Plan 2030 (2019) which seek, amongst other things, to conserve or enhance the Borough's natural environment.

Conclusion

12. The appeal should be dismissed.

Neil Smith

INSPECTOR