



Appeal Decision

Site visit made on 2 December 2019

by J E Jolly BA (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2019

Appeal Ref: APP/E2205/W/19/3233466

Boughton Cottage, Mill Lane, Smarden TN27 8NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by LMC Homes Ltd against Ashford Borough Council.
 - The application Ref 18/01818/AS, is dated 14 December 2018.
 - The development proposed is the demolition of an existing bungalow and the erection of two detached chalet bungalows.
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Decision

1. The appeal is dismissed and planning permission for the demolition of an existing bungalow and the erection of two detached chalet bungalows is refused.

Application for Costs

2. An application for costs was made by LMC Homes Ltd against Ashford Borough Council. This application will be the subject of a separate Decision.

Procedural Matters

3. The appeal was not determined by the Local Planning Authority. The Council have submitted suggested reasons of refusal in their statement of case. The appellant has addressed these reasons through their final comments. I have taken these in to consideration in forming what I see as the main issue in this case.

Main Issue

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

Reasons

5. The appeal site is located on Mill Lane, a single-track lane located at the edge of the village of Smarden. Boughton Cottage is a single storey, detached bungalow which is set back behind hedges and lawns and faces towards hedgerows and what appears to be open countryside beyond. The cottage has a proportionate garden space to the front and rear which helps to retain a sense of spaciousness. Immediately adjacent the site there is modest single-storey, loose knit development, for example the neighbouring property of 'Cobwebs'. Beyond the immediate vicinity of the site, and in the long views to the rear, there are one and two-storey dwellings which form part of Smarden village.

6. The proposal is to demolish the existing dwelling and erect two dwellings; one 4-bedroom chalet bungalow (Plot 1) and one 3-bedroom chalet bungalow (Plot 2), both with tiled car-barns. The two dwellings would be staggered and set back from Mill Lane and a new access would be constructed for Plot 2.
7. The submitted drawings demonstrate that the proposal for two traditional style dwellings is possible on the plot available. However, the scale and mass of the development, that includes roof dormers and two relatively large car-barns to the front and side, would appear incongruous with the surrounding built environment; which in the immediate vicinity is typified by smaller dwellings on separate plots. Moreover, the mass of the proposal would result in a visually cramped development due to the extended use of the host plot that would erode the existing sense of spaciousness. As such the proposal would be overly prominent and appear out of place in its immediate setting.
8. Furthermore, in this edge of village location the bulk of the proposal would be a harsh transition into the countryside and cause harm to the character and appearance of the area which could not be overcome by the imposition of a landscaping condition. Indeed, my opinion is reinforced by the facts 'on the ground'; namely the existing development, in comparison to the proposed dwellings, provides a gentle transition to the countryside beyond.
9. I acknowledge that the appellant has made amendments to the proposal as part of the application process and that changes have been made to the roofs, ridge line, dormer window and eaves of Plot 2. However, despite the changes to the dwelling the overall proposal is still a prominent development adjacent open countryside which would cause harm to the character and appearance of the area for the reasons given above.
10. Therefore, the proposal is contrary to Policies SP1, SP2, SP6, HOU3a, ENV1, ENV3a and ENV5 of the Ashford Local Plan 2030, which state amongst other things that development should have a positive relationship with the spaces around it including the scale and form, character and appearance, as well as its distinctiveness and sense of place.
11. For similar reasons, the would be contrary to the policies of the National Planning Policy Framework, including Paragraph 127 which indicates that developments should be sympathetic to the local character of the surrounding built environment and landscape setting.

Conclusion

12. For the reasons given above I conclude that the appeal is dismissed.

J E JOLLY

INSPECTOR