



Appeal Decision

Site visit made on 8 January 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2020

Appeal Ref: APP/U2235/W/19/3236776

Land East of Eyhorne Green House, Musket Lane, Hollingbourne, ME17 1UU

- 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 Paul Teague against the decision of Maidstone Borough Council.
 - The application Ref 19/501539/FULL, dated 25 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is erection of single dwelling.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 6 February 2020.

Decision

1. The appeal is dismissed.

Main Issue

2. The effect on the character and appearance of the area, with particular regard to designated heritage assets, including the Hollingbourne, Eyhorne Street Conservation Area and the Grade II listed building at Eyhorne Manor.

Reasons

Character and Appearance

3. The site falls within the Hollingbourne, Eyhorne Street Conservation Area ("Conservation Area"). This comprises a collection of well-preserved historic buildings clustered around Eyhorne Street, which is the main thoroughfare through the Conservation Area. These structures have a varied appearance, with some facing directly on to the main road and others being set back in a raised position. Collectively they provide an attractive historic core to a larger settlement.
4. The proposed house and parking area would be constructed on open land facing the main road. This currently comprises an undeveloped and verdant frontage, providing a setting for two properties: Eyhorne Manor, a grade II listed building; and Eyhorne Green House. Both are large, well-preserved structures, set back from the main road in a raised position. The extent of undeveloped, open space around them contributes to their significance, reflecting their historic status within the village.

5. These buildings are surrounded by mature vegetation and are accessed from a track leading off the main road which also provides a physical boundary between the site and Eyhorne Manor. However, on inspection both buildings were still visible from the main road in front of the site. The proposal would encroach into the intervening space, obstructing views of these properties from the main road. In this respect, it would attract visual attention away from these historic buildings, diminishing their setting.
6. The proposed building has been designed to be a discreet structure, being partially set in to rising ground, and the materials including timber cladding and green roof are a design response informed by its domestic landscape setting. However, it would still be located close to the main road. Consequently, it would be a very prominent addition to the built environment, despite its limited scale. Furthermore, its contemporary appearance would be at odds with other buildings in the Conservation Area, which I observed are generally more traditional in their materials and design. In this respect the proposed building would appear as an imposing and alien feature in relation to the existing built environment.
7. The site is currently screened by boundary vegetation, and there is an intention to continue this through planting. It is suggested that this would potentially screen the development in views from the main road, mitigating its impact. However, such landscaping would exist to disguise an inappropriate building within the Conservation Area and would therefore appear contrived. Furthermore, there is no guarantee that such screening would ultimately be retained for the lifetime of the development, as it would require management by future occupants of the proposed building who may not wish to retain such landscaping features.
8. Consequently, the proposal would fail to preserve or enhance the character or appearance of the Conservation Area. It would also fail to preserve the wider open setting of the Grade II listed building at Eyhorne Manor, which contributes positively to the significance of this designated heritage asset. In both cases the harm would be less than substantial. The National Planning Policy Framework ("the Framework") requires that such harm should be weighed against the public benefits of the proposal.
9. In this case the addition of a dwelling, which would provide a good standard of living accommodation with a high level of environmental performance close to existing services, facilities and transport links would amount to a public benefit of the proposed development. However, it does not outweigh the identified harm to designated heritage assets.
10. In conclusion, there would be unacceptable harm to the character and appearance of the area, including the heritage assets discussed above. The proposal conflicts with policy DM 1 of the Maidstone Borough Local Plan (adopted October 2017) ("Local Plan") which requires, amongst other things, proposals are of a high-quality design that responds positively to the local historic character of the area.
11. Whilst not cited in the Council's reasons for refusal, the appellant also refers to other policies in the Local Plan including DM 4, SP 11 and SP 18. These seek to achieve, amongst other things, well designed places that are of a size appropriate to the character of the village in which they are located, whilst protecting the quality of heritage assets. In this respect, they are consistent

with the local plan policy cited above and the Framework. The proposal would also conflict with these policies.

Other Matters

12. The Council also express concern over the loss of green space. Policy SP 14 of the Local Plan states that the loss of green spaces within Eyhorne Street will be resisted. However, in this case the proposed building would be constructed on existing private land and would be surrounded by landscaped space. The detailed landscaping arrangements could be secured by planning condition, which could also be used to ensure that trees are protected during the construction process. As such the proposal would not lead to any significant loss of green space. There is no harm in this respect and the proposal does not conflict with policy SP 14 of the Local Plan. However, this finding has no bearing on the principal issue in this appeal, which is the effect of the proposed structure on its built surroundings.
13. Reference is made by both parties to other listed buildings around the site, although the Council only identify harm in relation to Eyhorne Manor, as assessed above. I agree that the proposal is set a sufficient distance away from the other identified listed buildings in the surrounding area to preserve their setting. However, these are neutral factors.
14. Other recent residential development has been approved by the Council around Eyhorne Green House. However, in this case the site is more sensitive, as it faces directly on to the main road and is therefore in a more prominent position in the Conservation Area. Accordingly, these examples of recent residential development are not precedents that should inevitably be followed, given the harm that would arise.
15. There are also objections to the proposal from interested parties, citing other issues to those set out in my reasoning above. However, these do not raise considerations that materially add to the harm identified.
16. The proposal conflicts with the Framework, which seeks to achieve well-designed places which conserve and enhance the historic environment. The presumption in favour of sustainable development does not apply.

Conclusion

17. The proposal conflicts with the development plan and there are no other considerations that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR