



Appeal Decision

Site visit made on 13 July 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/U2235/D/21/3266299

The Forge, New Barn Road, Hawkenbury TN12 0ED

- 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 Mrs Jennifer Cook against the decision of Maidstone Borough Council.
 - The application Ref 20/503770/FULL, dated 18 August 2020, was refused by notice dated 16 October 2020.
 - The development proposed is a loft conversion with alterations to existing roof including raising height and inserting dormer windows and a roof light.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property, local area and the setting of a Grade II Listed Building.

Procedural Matters

3. Since Maidstone Borough Council's (the Council) refusal of the application Ref 20/503770/FULL the Government published a revised National Planning Policy Framework. In line with Planning Practice Guidance, my consideration of the issues of this appeal has, therefore, been on the basis of the National Planning Policy Framework (2021) (the Framework) and the Maidstone Borough Local Plan (2017) (the Local Plan). Neither the appellant nor the Council have indicated that this is prejudicial to their cases.

Reasons

4. The appeal property is a two-storey detached property located on New Barn Road, in the countryside and outside of any defined settlement. The appeal property is surrounded by a good-sized garden, with small outhouses and garden buildings. The appeal property's only near neighbour is the Grade II listed Forge Farm, which sits in its own large garden. These two properties are otherwise surrounded by fields.
5. Forge Farm is a heritage asset to which I have a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must have special regard to preserving the setting of a listed building.

6. Although there is some question over the originality of the appeal property as a forge building, which has undergone significant alteration and extension, I have considered the proposal in relation to the property as it currently presents itself, as a small detached dwelling with some rural character.
7. The proposal would raise the height of the appeal property by approximately 2 metres, to facilitate a loft extension incorporating 3 bedrooms, with extensive use of dormer windows and a roof light.
8. Visually the proposal would have the effect of appearing to add a completely new first floor to the existing property, resulting in it being almost as tall as the adjacent listed building at Forge Farm, and to be of similar bulk and scale.
9. Due to its scale, apparent bulk and additional height, the proposed extension would not appear as subservient to the host building, but would rather appear as an incongruous addition, which would be detrimental to its appearance as a rural building and that would result in significant harm to its character and appearance.
10. The additional scale, bulk and height of the proposal would also result in the appeal property being larger more urban style of house that would be more apparent and unduly prominent within the context of the adjacent Forge Farm. This would unbalance the hierarchy and visual harmony between the main listed farmhouse and the appeal property, which would no longer appear as a subservient building to the farm. When combined with the harm identified above, this would also result in significant harm to the countryside character and appearance of the local area.
11. The appeal property currently appears as a secondary and subordinate building to Forge Farm. However, when viewed in conjunction with the Grade II listed Forge Farm from the road and surrounding fields, the excessive bulk, height and massing of the proposal would result in the appeal property having an unduly dominant presence, harmful to the setting of the Grade II Listed Forge Farm.
12. I therefore find that the proposed development would be contrary to Policies SP17, SP16, DM1, DM4, DM30 and DM32 of the Local Plan, which seek to ensure that development is of high quality design, does not result in harm to the character and appearance of the countryside, sympathetically relating to the existing building and the rural area and maintain or enhance local distinctiveness, having due regard to the importance of preserving or enhancing heritage assets and conserving their significance.

Other Considerations

13. The appellant is of the view that the appeal proposal presents a preferable option to that of an alternative proposal for a single storey flat roofed extension that would extend 8 metres beyond the rear wall of the appeal property, for which the council has granted prior approval¹ under the provisions of Schedule 2, Part 1, Class A(g) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
14. However, as the prior approval proposal would be only a single storey in height and located at the rear of the property, it would appear as a subservient

¹ 20/5055001/PNEXT

addition to the existing dwelling. Given its location, it would not be very visible from the road, nor have such a pronounced effect on the rural character and appearance of the local area. Given its limited height as a single storey extension, it would not have as significant an impact on the setting of the Grade II listed Forge compared to that of the appeal proposal that I have identified. For this reason, I find that the impact of the appeal proposal would be greater than the prior approval proposal and would not, therefore, present a preferable alternative.

15. The appellant has drawn my attention to a new recently constructed two storey detached house on New Barn Road, that has some design features in common with the appeal proposal. No additional information has been provided to me and it would appear that the proposal and the context differ significantly with that of this new house that would have been considered on its own merits, which I have likewise done with the proposal and have afforded this little weight in my considerations.

Planning Balance and Conclusion

16. Although I find, within the context of paragraph 203 of the Framework, the harm to the listed building would be considered less than substantial, in accordance with the Framework, great weight should be given to the conservation of those assets. Combined with the other harm identified above and, when considered against the predominantly private rather than public benefits that would accrue from the proposal, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR